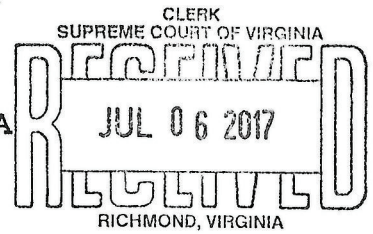


COPY

IN THE SUPREME COURT OF VIRGINIA
AT RICHMOND



Record No. _____

IN RE: BRIAN H. CLARK,

VERIFIED PETITION FOR WRIT OF PROHIBITION

Petitioner, Brian H. Clark ("Brian Clark"), pursuant to Rule 5:7 of the Rules of the Virginia Supreme Court, petitions this Court for a writ of prohibition to prohibit the Respondent, the Honorable Martin F. Clark, Jr., Judge of the Circuit Court of Patrick County, Virginia ("Judge Clark") from an indefinite order precluding Brian Clark from entry into the office of the Clerk of the Circuit Court of Patrick County, Virginia ("the clerk's office") unless (a) accompanied by his legal counsel; or (b) after 24 hours advance notice, a restriction not placed on other members of the public.

Preliminary Statement

This petition for a writ of prohibition seeks enforcement of the following rights of Brian Clark:

1. His rights under Article 1 of the Virginia State Constitution providing that all men are "equally free." In this petition Brian Clark avers that the Respondent has treated him as having less than equal freedom, compared to other members of the general public. He contends that the Respondent has judicially treated him as deserving the status of a second class citizen, with the public disgrace attendant on such a judicial order, issued verbally, and later in writing, both in the absence of any due process hearing.
2. His right of free speech under Section 12 of the Virginia Constitution. In this petition Brian Clark avers that the Respondent has placed restrictions on his access to the clerk's office that are greater than those imposed on members of the general public because of statements made by him protected as free speech under Section 12 of the Virginia Constitution.
3. His right under Section 8 of the Virginia

Constitution which (a) requires due process in any criminal prosecution, and (b) prohibits double jeopardy as to any criminal prosecution. In this petition, Brian Clark avers that the conditions placed on his entry into the clerk's office, not placed on members of the public at large, amount to a form of punishment, and constitute a quasi-criminal sanction against him without due process of law, and, as to a particular email dated July 14, 2016 (as to which his claim of free speech does not apply) constitutes a form of double jeopardy because he was found not guilty of a contempt charge based on an allegation that he sent such email.

4. His right under the Virginia Freedom of Information Act ("FOIA"), Va. Code Ann. Section 2.2-3700 et seq. for access to the records in the clerk's office. In this petition, Brian Clark contends that the requirement that he give 24 hour advance notice for entry into the clerk's office (unless accompanied by his legal counsel) is an unreasonable restriction on

his FOIA rights, which, aside from the public branding of him (discussed in detail herein after) carries the practical effect of chilling those rights, particularly because he often travels and has good reason to be able to enter the clerk's office as his travel schedule may make such entry most convenient, so long as he meets the same condition for exercise of his FOIA rights that are imposed on other members of the general public.

Statement of Facts

1. Beginning in 2016, Brian Clark was told that he could not enter the Clerk's Office of the Circuit Court of Patrick County, Virginia ("the clerk's office"), and was barred from doing so by deputies of the Office of the Sheriff of Patrick County, Virginia ("the Sheriff's Office")
2. The said action by such deputies resulted from an oral order received by the Sheriff's Office from Judge Clark not to allow Brian Clark into the

clerk's office.¹

3. Judge Clark subsequently amended that Order to provide that Brian Clark could come into the clerk's office accompanied by his legal counsel.²
4. In October 2016, Brian Clark's legal counsel wrote a letter to Judge Clark seeking rescission of the said oral order so that Brian Clark would be allowed to enter the clerk's office even if unaccompanied by his legal counsel. A copy of that letter is attached hereto marked "Exhibit A."
5. Judge Clark wrote a letter in response, copy of which is attached hereto marked "Exhibit B."
6. In October 2016, Brian Clark's counsel wrote a second letter to Judge Clark. A copy of that letter is attached hereto marked "Exhibit C."
7. On October 25, 2016, Judge Clark wrote a letter to Brian Clark's counsel. A copy of that letter is

¹ Brian Clark and Judge Clark are not related.

² As set forth hereinafter, Judge Clark in 2017 amended that order again to allow Brian Clark to come into the clerk's office without counsel on 24 hours advance notice.

attached hereto marked "Exhibit D."

8. In Exhibit D, Judge Clark confirmed in writing his order banning Brian Clark from entry to the clerk's office unless accompanied by his counsel.
9. In Exhibit D, Judge Clark referred, *inter alia*, to a contempt charge against Brian Clark then pending in the Circuit Court of Patrick County, Virginia in *Commonwealth of Virginia v. Brian Clark*; Case No. CR16000423-00. Attached hereto marked "Exhibit E" is a copy of a charge for contempt of court in that case served on Brian Clark. Included in Exhibit E was an email dated July 14, 2016 ("the July 14, 2016 email") stated to be from Brian Clark to the Clerk of the Circuit Court of Patrick County, Virginia.
10. On March 13, 2017, as set forth in more detail herein after, Brian Clark was tried and found not guilty of the said contempt charge on grounds the prosecution had not proven beyond a reasonable doubt that the July 14, 2016 email had been sent by Brian Clark.

11. As set forth in more detail herein after, when Brian Clark's counsel wrote Judge Clark about the March 13, 2017 not guilty verdict and requested that Judge Clark, in consideration of that not guilty verdict and the passage of time, lift the ban on Brian Clark entering the clerk's office except with his counsel, Judge Clark responded in writing by (a) amending his prior order to allow Brian Clark to come into the clerk's office without counsel on 24 hours' advance notice; (b) providing that Brian Clark could have free copies of the court papers in the files in the clerk's office of civil cases in which he is a party; (c) otherwise refusing the said request by Brian Clark's counsel; and (d) enclosing a transcript of statements regarding Brian Clark by another circuit court judge in a custody case.
12. At the March 13, 2017 contempt trial of Brian Clark, certain emails referenced in Exhibit D of this petition (in addition to the July 14, 2016 email) were introduced into evidence as an exhibit.

Attached hereto marked "Exhibit F," are copies of such emails, accompanied by an affidavit by Doris Walker, who is Brian Clark's first cousin once removed, in which she sets forth that she obtained those emails (that had been made an exhibit in the March 13, 2017 contempt trial) from the clerk's office.

13. In Exhibit D, Judge Clark cited certain pleadings or papers filed or lodged by Brian Clark in the clerk's office or in the office of the Clerk of the Circuit Court of Henry County, Virginia in civil cases. Brian Clark does not remember any such pleadings or papers filed in the Clerk's Office of Henry County, Virginia that met the description of the same in Exhibit D. Copies of what appear to be documents (other than emails) referenced in Exhibit D that were filed or submitted to the Clerk's Office of Patrick County, Virginia are attached hereto marked "Exhibit G."
14. Attached hereto marked "Exhibit H" is a transcript

of a portion of the March 13, 2017 trial in *Commonwealth of Virginia v. Brian Clark*; Case No. CR16000423-00, in which Brian Clark was found not guilty of contempt of court. In Exhibit H, the Honorable G. Carter Greer, Judge of the Circuit Court of Patrick County, Virginia stated from the bench in open court his reason for finding Brian Clark not guilty in that case.

15. After the aforesaid March 13, 2017 trial, Brian Clark's counsel wrote a letter - dated April 22, 2017 - to Judge Clark, which attached a copy of Exhibit H, and which asked Judge Clark to lift the ban on Brian Clark being able to go to the clerk's office without his counsel. A copy of that April 22, 2017 letter (without Exhibit H attached to that letter) is attached hereto marked "Exhibit I".
16. Judge Clark responded to the April 22, 2017 letter from Brian Clark's counsel by a letter dated May 5, 2017, copy of which is attached hereto marked "Exhibit J."

17. In Exhibit J, Judge Clark amended his prior order restricting Brian Clark's access to the clerk's office as follows:

- A. In Exhibit J Judge Clark offered for the clerk's office to send to Brian Clark's counsel all of the pages of all of the civil cases pending in the Circuit Court of Patrick County, Virginia in which Brian Clark is a party.
- B. In Exhibit J Judge Clark ruled that, going forward, Brian Clark could enter the clerk's office without his legal counsel provided he gave 24 hours advance notice of his intention to do so.

18. Exhibit J amplified what Judge Clark stated were his grounds for placing restriction on Brian Clark's access to the clerk's office.³

19. Brian Clark has never been convicted of (a) any

³ This included enclosing a portion of a transcript of a hearing in a custody case with comments regarding Brian Clark by another circuit court judge. The said portion of the transcript with verbatim comments by another circuit court judge is included in Exhibit J.

felony; (b) any misdemeanor involving moral turpitude; or (c) any misdemeanor involving physical violence or threat of physical violence.

20. Brian Clark is a resident of Henry County, Virginia. He owns real estate in Patrick County, Virginia and has a son who attends public school in Patrick County, Virginia.
21. Brian Clark has civil cases pending in the Circuit Court of Patrick County, Virginia, as follows:
CL15000007-00; CL15000098-00; CL15000099-00;
CL13000030-00; and CL13000030-01. The court records in those cases are in the clerk's office. In the past, there have been instances in which a document for one of those cases has been mistakenly placed in another of those cases.
22. Prior to the order by Judge Clark banning Brian Clark from the clerk's office, Brian Clark was given no notice that he faced banning of entry to the clerk's office.
23. Brian Clark received no notice of any grounds for

banning him from the clerk's office prior to Judge Clark's oral order banning him from the clerk's office.

24. Brian Clark received no opportunity to face or to cross-examine any accuser prior to the oral order banning him from the clerk's office.
25. Brian Clark was granted no opportunity to be heard in any way prior to being banned from the clerk's office.
26. Brian Clark was granted no opportunity to present any evidence in his defense or any opportunity for legal counsel on his behalf to present any argument on his behalf, prior to the oral order banning him from the clerk's office.
27. As is demonstrated by Exhibit D, Judge Clark's written confirmation of the banning of Brian Clark from the clerk's office (which, by the date of Exhibit D had been amended to allow Brian Clark to enter the clerk's office if accompanied by his legal counsel) did not include any opportunity for any

hearing for potential reconsideration of the said banning of Brian Clark from the clerk's office.

28. Brian Clark has received no notice that the order by Judge Clark, as twice amended, and as now allowing him into the clerk's office but only when accompanied by his legal counsel or on 24 hours' notice, is limited in time. Judge Clark's current order restricting Brian Clark from entry into the clerk's office unless on 24 hours advance notice or when accompanied by his counsel is not set to come to an end on any specified date.
29. The indication in Exhibit J that Judge Clark will cause the clerk's office to send to Brian Clark all of the pages of Cases CL15000007-00; CL15000098-00; CL15000099-00; CL13000030-00; and CL13000030-01 would not allow Brian Clark to enter the Clerk's Office (without his legal counsel or without giving 24 hours' advance notice) to review other public documents in the clerk's office, which, as a part of this petition, he submits is his right under the

Virginia Freedom of Information Act, Va. Code Ann.
Section 2.2-3700 et.seq.

30. Further, if the restriction on Brian Clark entering the clerk's Office remains, a public record will reflect that this extraordinary (and perhaps unprecedented) restriction has been placed on Brian Clark and that he is subject to such restriction for an indefinite time, which public record, if not reversed, would likely pose a risk (although not as yet specified to him) to his present and future occupation and prospects as to his occupation. At present, Brian Clark is involved in contract work for the United States government on matters related to Homeland Security.
31. Aside from issues related to Brian Clark's occupation, the net effect of the restrictions on Brian Clark's access to the clerk's office, although those restrictions have been reduced from what they were, at all times since being first imposed, by their nature, have constituted a form of public

branding imposed on him by the a court of record without any of the usual due process protections afforded citizens of the Commonwealth of Virginia. This public branding is inconsistent with the Virginia laws recited as authority in this petition, and inconsistent with the spirit of those laws, and inconsistent with the extraordinary history of Virginia jurisprudence in its respect for the rights of those among Virginia's citizenry who have dissented from the views of those in positions of authority.

32. The location of the clerk's office is such that no member of the general public can enter the clerk's office without going through a scanning process manned by deputies of the Sheriff's Office. Any member of the general public seeking to enter the clerk's office must go through the same scanning process imposed on any member of the general public seeking to enter the courtroom of the Circuit Court of Patrick County, Virginia.

33. Brian Clark has never threatened bodily harm to any employee of the clerk's office.
34. Brian Clark has never made any statement to any employee of the clerk's office which constituted a threat of violence of any kind.
35. Brian Clark has never made any statement to any employee of the clerk's office that could reasonably have been construed as a threat of violence.
36. If any employee of the clerk's office has ever stated that Brian Clark made any statement that such employee construed as the basis for any reasonable fear of violence, Brian Clark (a) does not know the identity of any such accuser; (b) does not know when any such accuser stated that he made any such statement; and (c) does not know to whom he was supposed to have made such a statement.
37. If Brian Clark were given notice that a named employee of the clerk's office has ever stated any contention that he made any statement that any such employee construed as a basis for any reasonable

fear of violence, Brian Clark, if given the opportunity to do so, would vigorously defend against any such accusation because he has never made any statement to any employee of the clerk's office that could reasonably have been construed as a threat of violence of any kind, although he has made statements that were based on what he considered a potential by him to pursue one or more legal remedies, or that were based on an intent to pursue one or more legal remedies.

38. Brian Clark has never had any intention to act in any violent manner against anyone in the clerk's office or anywhere else and has never done or said anything to anyone at any location or at any time to indicate any intention to engage in any physical threat or any physical violence against anyone, either at the clerk's office or anywhere else.
39. Brian Clark has never engaged in any improper physical action against anyone and has never threatened improper physical action against anyone.

40. Brian Clark's work causes him to travel frequently.

Sometimes he needs to travel on short notice. In the multiple civil cases in which he is involved, during the course of frequent communications with his legal counsel, there is some benefit to him from being able to enter the clerk's office without notice to look up records in the clerk's office. It is true that this benefit would be essentially mooted by provision by the clerk's office of all of the records of his cases - at taxpayer expense - with no charge to him or his legal counsel.

However, this alternative benefit to him would come at a cost to the public at large and on the basis of an insult to him and public branding of him and would constitute a likelihood of substantial risk to him as to his employment, in which he is engaged in work (based on government contract) involving Homeland Security.

41. If a stated alternative for Brian Clark to obtain the same access to court records in which he is a

party as would be provided to other members of the general public (who are parties in civil cases) is a special free access at the taxpayers' expense, he would be marked - by a public decision by the Respondent, clothed with the respect and deference earned by all of the judges of Virginia - with a public branding as someone undeserving of the equal treatment of the law cited in Article 1 of the Virginia Constitution, reciting that all men are "equally free." Rather, that equality of treatment would be set aside and replaced by a form of public disgrace clothed with special treatment at taxpayer expense. This public disgrace imposed judicially on Brian Clark, without any due process of law, if not reversed, will carry a likely danger to him as to his employment in work involving Homeland Security, and an undeserved public mark against him with practical effects that cannot entirely be calculated in advance, but which, at a minimum, would amount to a kind of public "casting out" of him. At present,

Brian Clark is, as a matter of a public judicial decision, the recipient of such a public judicial branding.

42. If Brian Clark were to acquiesce in derogation of such rights, he would agree that to his being marked with a kind of public branding that would, in effect, signify his being cast out from the normal treatment of public citizens of the Commonwealth.
43. Brian Clark brings this petition, in material part, as a means of declining voluntarily to accept the conclusions to be drawn - as set forth in paragraph 44 of this petition - if he did not continue to challenge the judicial orders recited above, which, although they have changed over time, have remained consistent in branding Brian Clark is not deserving of the equal treatment of the laws of those among the citizenry of the Commonwealth of Virginia who, in their daily lives are clothed with the presumption of regulatory and the presumption of innocence.

44. Brian Clark files this petition seeking a writ of prohibition in part to make a public record that he challenges (and therefore does not acquiesce) in what he submits has been a public judicial message that he has earned treatment as a second class citizen which he submits has constituted a derogation of his constitutional and statutory rights recited herein above.

45. Brian Clark files this petition seeking a writ of prohibition, in significant part, to challenge what appears to constitute a judicial disgrace of him by a court of record, which he submits he has not earned and which has been imposed upon him without any semblance of due process.⁴ In such challenge, by means of this petition seeking a writ of

⁴ Brian Clark will also file a complaint in federal court pursuant to 42 U.S.C. Section 1983 which, inter alia, will contest the different treatment of him as to access to the clerk's office on federal grounds. That complaint will attach a copy of this petition as an exhibit, but will recited that, just as Brian Clark does not seek any remedy in this petition under federal law, he will not seek any remedy in his federal complaint under state law.

prohibition, Brian Clark submits that the current order of Judge Clark stated in Exhibit J, is in derogation of Brian Clark's rights guaranteed by the Virginia Constitution of (a) free speech; (b) due process: (c) freedom from double jeopardy; and right to "equal freedom" under the law; and is also in derogation of Brian Clark's statutory FOIA rights.

Contention that An Evidentiary Hearing is Not Necessary

Brian Clark submits that the taking of evidence is not necessary for a proper disposition of this petition.

Legal Argument In Favor of Petition

Brian Clark sets forth the following legal argument in favor of this petition:

1. This Court Has Original Jurisdiction and Is A Proper Venue For Consideration of this Petition

This Court has original jurisdiction as to this petition pursuant to Article IV, Section 1 of the Constitution of Virginia.

The rights invoked by Brian Clark in this petition include those set forth in the Virginia Freedom of Information Act, Va. Code Ann. Section 2.2-3700 et.seq.

("the FOIA") which, in pertinent part, sets forth that, for purposes of access to public records, constitutional officers as defined in Va. Code Section 9.1-101 shall be considered "public bodies." Va. Code Ann. Section 9.1-01-101 defines "constitutional officers" to include clerks of circuit courts. The FOIA at Va. Code Ann Section 2.2-3701 defines "public records to include written documents in the possession of a public body (and therefore in the possession of a clerk of a circuit court). As a general matter, the FOIA provides that "public records" (thus records in the possession of clerks of circuit courts) shall be open to public inspection. Va. Code Ann. Section 2.2-3704. Therefore, Brian Clark is entitled, as a citizen of the Commonwealth of Virginia, to access the clerk's office with a right to view the public records in that office, not limited to those in which he is a party litigant, in the same way and to the same degree that such records (not limited to records of his cases) are available to be viewed by the public generally.

Enforcement of the FOIA may be by a petition to a circuit court for a writ of mandamus or injunction brought against, *inter alia*, a clerk of a circuit court for violation of the FOIA by denial of the public right (as a general matter) to inspect the records in the possession of such a clerk (thus, for violation of the right to inspect court records and other public records in a clerk's office), pursuant to Va. Code Ann. Section 2.2-3713. However, in this petition Brian Clark seeks redress against denial of his rights under the FOIA by order of a circuit court. Brian Clark submits that the denial of his right to inspect public records in the clerk's office has not been by the Clerk of that Court, or by the Sheriff of Patrick County, rather by order of Judge Clark, which the Clerk of the Circuit Court and the Sheriff of Patrick County, Virginia are bound to obey, unless Judge Clark's order is reversed by a court with competent jurisdiction to overrule him as to his ban of entry of Brian Clark to the clerk's office unaccompanied by his legal counsel. Therefore, Brian

Clark submits that it is appropriate for him to seek enforcement of his FOIA rights through this petition rather than through a complaint filed in the Circuit Court of Patrick County, Virginia seeking an injunction or writ of mandamus. Also, this petition, in addition to seeking enforcement of FOIA rights, is based on Brian Clark's right of free speech under Section 12 of Article 1 of the Virginia Constitution. In this petition, Brian Clark contends that this Court has grounds to grant him a Writ of Prohibition in this case because Judge Clark's letters of October 25, 2016 and May 5, 2017 setting forth his reasons for barring Brian Clark from the clerk's office without his counsel is based, in material part, on Brian Clark's exercise of his Virginia state constitutional right of free speech.

Judge Clark's October 25, 2016 letter (Exhibit D) referred to Brian Clark as making statements reminiscent of Lyndon Larouche ("Larouche"). However, at least before Larouche was convicted (as he was) of a felony, there is no record of Larouche being banned from any

public place. To the contrary, despite his infamous and lamentable public statements (including a contention that the Queen of England was a drug dealer) Larouche was allowed under Virginia law to qualify to have electors pledged to him on the ballot for his candidacy to be president of the United States.

2. Limitation of This Petition to Rights Under State Law

This petition is confined to Brian Clark's rights under Virginia state law. At a time near the time this petition will be filed, Brian Clark will file a complaint in the U.S. District Court of the Western District of Virginia, Roanoke Division, seeking damages and a declaratory judgment pursuant to 42 U.S.C. Section 1983 on grounds of actions by public officials that Brian Clark will aver constituted violation of his right of free speech under the First Amendment of the U.S. Constitution. That complaint will aver (a) action by certain law enforcement officers whom Brian Clark will aver stopped a car in which he was a passenger - and prevented that car for about twenty minutes from

proceeding with normal travel - on a pretext, after deputies of the sheriff's office said they intended to "take him down"; (b) action by an administrative official of Patrick County, Virginia in banning Brian Clark from a public building (other than the clerk's office) with the result, *inter alia*, that he was prevented from attending a trial to testify for a defendant in a traffic case;⁵ and (c) the banning of Clark from entry into the clerk's office unless accompanied by his counsel.

In the said complaint to be filed in federal court (a) and (b) are about matters different from the matters set forth in this petition. However, in that federal case, Clark, as a practical matter, will seek the same relief as to (c) that he seeks in this case. However, as to that part of his federal complaint, Clark will seek such relief pursuant to his right of free speech under the U.S. Constitution, whereas, in this petition, Brian Clark seeks relief solely on the basis of his

⁵ The defendant in that case was found not guilty.

rights under state law, including his right to free speech under the Virginia Constitution and his state statutory FOIA rights.

Brian Clark submits that he is not precluded from filing this petition under state law while also seeking the same relief in federal court under federal law.

3. The July 14, 2016 Email is Not Grounds for Indefinite Restrictions on or Special Conditions for Brian Clark's Access to the Clerk's Office

Brian Clark was tried on March 13, 2017 on a charge that he sent the July 14, 2016 email to the Clerk of that court. After the conclusion of evidence in that case, as is evident from Exhibit H, Judge Greer concluded that Brian Clark sent that email, but found him not guilty on grounds the prosecution had not proven that at that trial.

At that trial, Brian Clark testified he had no memory of sending that email and presented evidence that that email could have come from another source.

Brian Clark submits that the order banning him from the clerk's office should not be upheld on the basis of

the July 14, 2016 email for the following reasons:

- It has not been proven that Brian Clark sent that email.
- Va. Code Ann. Section 18.2-456 (3) (the basis for the contempt charge of Brian Clark regarding the July 14, 2016 email), does not provide for punishment by banning from a public place.
- If there were a basis for restricting a public citizen from access to a public place, or placing special conditions on citizen's access to such a public place as punishment for contempt of court, that should only occur after a trial with due process rights. There was a due process trial on the contempt charge, however, that resulted in a not guilty verdict.
- There is no precedent for punishment for contempt of court that is indefinite in time. In *Cheff v. Schnackenberg*, 384 U.S. 373 (1966), the U.S. Supreme Court limited denial of a jury trial in contempt of court cases to prosecutions in which

incarceration is limited to six months. Taking into account that Brian Clark's motion for a jury trial in Case No. CR16000423-00 was denied, even if Brian Clark had been found guilty in that case, and even if the sentencing in that case had barred Brian Clark from unfettered access to the clerk's office, no such punishment could have extended past six months. As it happened, Brian Clark was found not guilty of that charge, so that the July 14, 2016 email should not be any basis for the banning of Brian Clark from the clerk's office, for reasons including but not limited to the prohibition in Virginia law against double jeopardy.

The above argument does not include a contention that the July 14, 2016 email is protected by the right of free speech. The indefensible statements in that email are not protected by any right of free speech. However, for the reasons set forth above, Brian Clark's FOIA rights should not be restricted by reason of the July 14, 2016 email.

4. The Remaining Communications Cited as a Basis for Restrictions On and/or Special Conditions for His Access to the Clerk's Office Are Protected by the Right of Free Speech Guaranteed by Section 12 of Article I the Virginia Constitution.

Article 1 of the Virginia Constitution provides, in pertinent part, the following:

... any citizen may freely speak, write, and public his sentiments on all subjects, being responsible for the abuse of that right...

In Exhibit D, Judge Clark stated that Brian Clark stated that

"various court officials, banks, attorneys, judges, and the state bar are in a Lyndon-LaRouche-like plot to do harm to him, one of which such pleadings referenced Judge Greer's bias (later alleged to be outright corruption), referenced Judge Greer's wife and, oddly and menacingly, included a wedding photograph of her.

-- Exhibit D, p. 1

Except for the July 14, 2016 email, the documents referenced by Judge Clark in his October 25, 2016 letter (Exhibit D) are set forth in Exhibits F and G to this petition. Those documents come within the guarantee of free speech in Section 12 of Article 1 of the Virginia Constitution.

Judge Clark's October 25, 2016 letter (Exhibit D) refers to LaRouche, who gained notoriety for outrageous statements wrongfully claiming conspiracies. However, until LaRouche was convicted of a felony, there is no record of his (a) being banned from any clerk's office, or (b) being denied any right under any state's law to inspect and copy public records. Indeed, despite his record of making outrageous statements, Larouche was allowed by the Commonwealth of Virginia to qualify on this state's ballot as a candidate for president of the United States.

5. The Restrictions on and Conditions for Brian Clark's Access to the Clerk's Office Constitute Denial of His FOIA Statutory Rights

Nothing in Virginia law creates an exception to Brian Clark's FOIA rights to inspect public records in the clerk's office that would be supported by anything referenced in Judge Clark's October 25, 2016 letter (Exhibit D) or his May 5, 2017 letter (Exhibit J).

Virginia's FOIA does not require any citizen to show cause why he or she has a need to exercise a right under

FOIA to inspect public records. For this independent reason, the offer of free copies of court records in civil cases in which Brian Clark is a party is not grounds to deny his FOIA right of entry to the clerk's office.

Taking into account (a) the issue of double jeopardy as to the July 14, 2016 email; (b) the lack of any due process protections regarding the rest of the grounds asserted in Exhibits D and J for the restrictions on and conditions for Brian Clark's access to the clerk's office; and (c) the indefinite nature of those restrictions and conditions, none of the grounds set forth in Exhibit D and Exhibit J are sufficient to justify the deprivation of Brian Clark's FOIA statutory rights.⁶

⁶ Although not relevant to the legal issues presented by this petition, there was nothing menacing in Brian Clark's inclusion of a picture of Judge Greer's wife in a motion asking Judge Greer to recuse himself (see Exhibit D) In that motion, Brian Clark cited a newspaper article about Judge Greer that was entirely favorable. Brian Clark cited that newspaper article because of a reference in that article to an association of Judge Greer's father with Branch Banking

Exhibits D and J suggest that if Brian Clark is allowed into the clerk's office that might constitute a threat to those working there or to members of the public in the clerk's office. However, any member of the public who enters the clerk's office must pass through the scanning process manned by the Sheriff's Office, the same as required of any member of the general public entering the courtroom of the Circuit Court of Patrick County. Therefore, there is no danger of Brian Clark (or any other member of the general public) entering the clerk's office with any weapon that would be recognized by the scanning process.

& Trust Company ("BB&T"), one of the parties adverse to Brian Clark in a civil case in which Brian Clark asked Judge Greer to recuse himself. To support his indication of the relationship between Judge Greer's father and BB&T, Brian Clark attached a (favorable) newspaper article about Judge Greer and his Virginia heritage. In attaching such newspaper article, Brian Clark did not make any redaction, so that what he attached included a favorable photograph of Judge Greer and his wife, which was with that newspaper article.

6. The Restrictions and Conditions Placed on Brian Clark's Access to the Clerk's Office are in Derogation of His Rights Under Article 1 of the Virginia Constitution

The statement in Article 1 of the Virginia Constitution that all men are equally free does not apply to those who, by their conduct, are proven to have broken the law, or who have been proven by law not to deserve the equal treatment under law they would otherwise be entitled to receive.

For example, one who is convicted of a felony or a crime of moral turpitude is treated differently from members of the public at large. However, Brian Clark has never been convicted of any such crime.

For another example, Virginia has an extensive set of laws for protective orders against those who take action or make statements that cause others to be in reasonable fear. See, for example, Va. Code Ann. Section 19.2-152.10 et seq. In cases not involving family members, anyone having a reasonable fear of danger from another can seek an injunction for protection. However, any such protective order or

injunction must be based on orderly procedures, with a record based on a sworn petition or a sworn complaint, with an opportunity, over time, for a party, against whom such an order or injunction is sought, to present a defense, after an opportunity to face an accuser, to cross-examine, to present evidence, to have counsel to present argument, including legal precedent. The restrictions on and conditions for Brian Clark's access to the clerk's office have not involved any of those protections.

At bottom, the restrictions on and conditions for Brian Clark's access to the clerk's office are stated by the Respondent as justified on grounds of practicality. However, the argument of practicality should not be held persuasive in this case. The public branding of Brian Clark that inevitably accompanies the Respondent's order imposing restrictions on and conditions for Brian Clark's access to the clerk's office carries a real if undetermined risk to his employment, and carries an imposition on him, in effect, of a second class

citizenship with all that accompanies such a status. Weighed against that, there are no meritorious grounds for Brian Clark to have to give 24 hours advance notice to provide for enhanced security at the clerk's office to provide protection against Brian Clark for those working in or present at the clerk's office.⁷ As it happens, the scanning process at the courthouse of the Circuit Court of Patrick County - which is in place for all courthouses in the Commonwealth - applies not only to those entering the courthouse of Patrick County Circuit Court, but also to those entering the clerk's office. Therefore, no member of the general public can enter the clerk's office without going through that scanning process. Under these circumstances, neither Brian Clark nor any other member of the general public is able to go into the clerk's office with any weapon

⁷ Exhibit J does not require 24 hours advance notice if Brian Clark is accompanied to the clerk's office by his legal counsel. However, the exhibits to this petition that are letters from Brian Clark's legal counsel show that his counsel's office is in Richmond, Virginia, which, as a matter of geography, is hours away from the Patrick County Circuit Courthouse where the clerk's office is located.

that can be detected by that scanning process.

Moreover, on the subject of protection of persons in the clerk's office from danger, Brian Clark is entitled to the same presumption of innocence accorded every other citizen of the Commonwealth. Brian Clark has been denied the presumption of innocence in this case and thereby has been denied (a) the status of being equally free as other citizens, guaranteed to him under Article 1 of the Virginia Constitution, (b) his right of free speech guaranteed by Article 12 of the Virginia Constitution; (c) his right of due process and against double jeopardy guaranteed by Article 8 of the Virginia Constitution; and (d) his right (the same as any other citizen) to go to the clerk's office to view any public records he chooses to view) guaranteed by Va. Code Ann. Section 2.2-3700 et seq. ("FOIA"). Under these circumstances, and, most particularly to prevent the specific and unknown danger to his employment and to him personally from the public mark on him caused by the restrictions and conditions on his access to the clerk's

office, Brian Clark asks this Court to grant him a writ of prohibition to accord him the same access to the clerk's office as is allowed to the general public.

7. The Comments By Another Circuit Court Judge In a Custody Case Are Not Grounds to Restrict and/or Condition Brian Clark's Constitutional Rights of Equality, Due Process, and Free Speech, and His Statutory FOIA Rights

In Exhibit J, Judge Clark attached a portion of a transcript with statements about Brian Clark by another circuit court judge in a custody hearing.⁸

Brian Clark, by counsel, submits that the attachment of such comments in the transcript of such hearing do

⁸Brian Clark profoundly disagrees with the findings of fact adverse to him set forth in that transcript and disagrees that those findings were supported by the evidence in that case. However, this petition for a writ of prohibition is not brought to challenge any findings of fact by any tribunal based on any evidence or any hearing. Rather, this petition seeking a writ of prohibition is based on a contention that the Respondent's orders placing Brian Clark on a different footing than other members of the general public were not based on either an evidentiary hearing, or any hearing of any kind, and were imposed on him without provision to him of any due process protections of any kind. As to matters between Brian Clark and Jackie Fain Clark, the parties adverse to each other on matters of custody of their son, a divorce case is pending between them in the Circuit Court of Henry County, Virginia, Case No. CL16-444.

not constitute a legal basis to treat Brian Clark differently from other citizens as to his access to the clerk's office. Custody hearings have as their purpose the best interests of children. It is important that parents involved in custody cases not be subjected to *ad hominem* restrictions of their civil and constitutional rights based on the views of a court of competent jurisdiction conducting such custody hearings and making findings on the basis of evidence at such custody hearings. The comments from the bench in a custody case, if considered for any judicial purpose other than the custody case itself, carries risk to the highly sensitive legal process to provide for the best interests of children in custody cases. Emotions run high in custody cases. No parent participating in a custody case should have imposed on that parent a fear that the comments of the presiding judge in that case might be used to restrict that parent's civil rights on an unrelated matter. For any court to consider the comments of a court seeking to decide what is best for a

child to be considered on an *ad hominem* basis on an unrelated matter would set a lamentable precedent, which could not only create an unfair restriction of civil rights of citizens in other matters, but could also tend to cause unnecessary increase in tensions in family dispute matters.

The statements by the other circuit court judge contained in Exhibit J were not grounds, in any event, for Brian Clark to be singled out to be treated - as to his civil and constitutional rights - any differently than any other citizen.

The singling out of Brian Clark for more restrictive treatment than placed on others for entry into a clerk's office - which is already protected the same as any courtroom in Virginia - has an *ad hominem* aspect to it which underscores the constitutional and statutory grounds which are the basis for this petition seeking a writ of prohibition.

Conclusion

Brian Clark submits that the restrictions and


conditions placed on his access to the clerk's office appear to be a form of ad hominem punishment, rather than protection of any member of the public. Brian Clark submits that he has been subjected to such an ad hominem punishment, imposed on him without his being afforded any due process. Whether or not the facts in this petition support such a finding, Brian Clark, by counsel, submits that the restrictions and conditions placed on his access to the clerk's office are in derogation of his state constitutional rights (a) to judicial treatment as an equally free citizen; (b) to free speech; (c) to due process and against double jeopardy; and his rights to access to all of the public records in the clerk's office under Virginia's FOIA statute.

Wherefore, Brian Clark prays that this Court enter a writ of prohibition to direct that the Respondent, the Honorable Martin F. Clark Jr., Judge of the Circuit Court of Patrick County, Virginia, no longer place restrictions and conditions on Brian Clark's entry into

the clerk's office that are different from those placed on members of the general public, absent a judicial finding, based on a hearing granted according to law, of good cause for any such restrictions and/or conditions

Respectfully submitted,

BRIAN H. CLARK,

By 
Counsel

Henry W. McLaughlin (VSB No. 07105)
The Law Office of Henry McLaughlin, P.C.
Eighth and Main Building
707 East Main Street, Suite 1050
Richmond, Virginia 23219
(877) 575-0258; fax (877) 575-0245
henry@mclaughlinvalaw.com
Counsel for Petitioner Brian H. Clark

VERIFICATION NO. 1

Verification No. 1 of this petition is an affidavit by Doris Walker, who is first cousin once removed of Brian Clark. That affidavit is part of Exhibit F of the foregoing petition for a writ of prohibition.

VERIFICATION NO 2

Pursuant to Va. Code Ann. Section 8.01-4.3, I verify under penalty of perjury that - except for matters

related to who sent the emails attached to the foregoing petition, a matter not reached by this verification - the foregoing statement of facts in the foregoing petition is true and correct to the best of my knowledge, information and belief. I do verify under penalty of perjury that Doris Walker, whose affidavit is included in Exhibit F to the foregoing petition and whose affidavit is set forth above as "Verification No 1" to the foregoing petition, is my first cousin once removed.

I do verify under penalty of perjury that a large stack of emails was introduced into evidence as an exhibit at the March 13, 2017 trial in the case of *Commonwealth of Virginia v. Brian Clark*; Case No. CR16000423-00, and that the July 14, 2016 email was introduced as another exhibit at that trial. As set forth in the foregoing petition, I was found not guilty at the conclusion of that trial. During that trial, I testified that I did in fact believe that the Honorable G Carter Greer had engaged in any crime such as stated

in the July 14, 2016 email and further stated that it was possible that the July 14, 2016 email, as received by the Clerk of the Circuit Court of Patrick County could have come from a third party. At that trial, a witness called for the defense who was qualified by the Circuit Court of Patrick County, Virginia as an expert witness, testified that the July 14, 2016 email as introduced into evidence did not prove from what location it had been sent but that such could have been easily proven by the prosecution based on matters accessible to the prosecution prior to the trial.

As regards the emails that are included in Exhibit F, I have not examined the 315 pages of those emails in detail to seek to determine the extent of their authenticity, but am advised by my legal counsel that the foregoing petition contends that, assuming *arguendo* (without admission) that the Exhibit F emails were sent by me, they come within the right of free speech and are not grounds to ban me from the clerk's office. On this legal issue, I rely on my legal counsel.

As to all of the statements of law in the foregoing petition, and the historical statements regarding Lyndon Larouche, I rely on my counsel of record in the foregoing petition. As to mixed statements of law and fact in the foregoing petition, I rely on my counsel of record to the extent such mixed statements of law and fact involve statements of law.

Date 7/3/2017



Brian H. Clark

Exhibit A

THE LAW OFFICE OF HENRY McLAUGHLIN, P.C.

Eighth and Main Building, 707 East Main Street, Suite 1050, Richmond, Virginia 23219
804-205-9020 Toll Free 877-575-0258 Facsimile 877-575-0245

HENRY W. McLAUGHLIN
Attorney at Law
henry@mclaughlinvalaw.com

JESSICA C. STROCK
Attorney at Law
jessica@mclaughlinvalaw.com

October 15, 2016

The Honorable Martin F. Clark
Presiding Judge
Circuit Court
Patrick County, Virginia
P. O. Box 762
101 Blue Ridge Street
Stuart, Virginia 24171-0148

Re: Brian H. Clark

Dear Judge Clark:

I represent Brian H. Clark.

Mr. Clark advises that, over a period of time, he has not been allowed to go to the Clerk's Office of the Circuit Court of Patrick County, Virginia. He advises that he was verbally informed of this though the Office of the Sheriff of Patrick County, Virginia.

My representation of Mr. Clark includes, *inter alia*, four cases pending in the Circuit Court of Patrick County, Virginia; CL13-30; CL 15-07; CL 15-98; and CL 15-99

In regard to those four cases, I asked him for information regarding some of the court records in those four cases. He advised that he was not allowed to go to the Clerk's Office and that, therefore, he would have to ask others to do so for him.

On yesterday morning, Friday, October 14, 2016 I called the office of the Clerk to ask if Mr. Clark and I could together yesterday afternoon to review court records in the above case. I had mistakenly not confirmed with Mr. Clark that he would be in a position to forego a trip out of state for that purpose, and, as I later learned, he had concluded that he needed to go out of state on business and, therefore, was in South Carolina yesterday.

In a telephone call yesterday morning I was advised in a very gracious way that the Clerk's office would make the files in all of the above cases available for me to read in a convenient place with an opportunity to make copies but that Mr. Clark was not allowed in the Clerk's office because of direction to that effect from Your Honor. I asked if this was the result of a written order or a verbal order and was advised that it was a verbal order.

I drove to Stuart yesterday and was met graciously by staff at the Clerk's Office who advised that Your Honor had been consulted yesterday and that Your Honor had indicated that Mr. Clark could accompany me to the Clerk's Office and that the direction for him not to come to the Clerk's Office was not to extend to his being there in the company of his legal counsel. As indicated above, as it happened, Mr. Clark was in South Carolina and would not have been in a position to be at the Clerk's Office yesterday in any event.

The Clerk's Office was very gracious. I was allowed to view the court files at a table, which was very convenient, the staff at the Clerk's Office made copies at my request. I could not have been better treated.

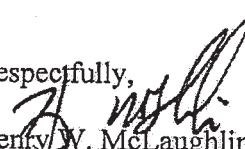
The purpose of this letter is to ask Your Honor to remove the verbal direction to the office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Sheriff.

Although the management of any clerk's office in Virginia is under the authority of the Circuit Court of that jurisdiction, I submit that, except in exigent circumstances, a banning of any citizen from a Clerk's Office of any Circuit Court should not occur without due process notice and an opportunity to be heard, with an opportunity for appeal. Mr. Clark advises that the only notice he received of being excluded from the Office of the Clerk of the Circuit Court has been verbal notice from the Office of the Sheriff and that, prior to yesterday, he had not been informed that his exclusion was the result of a decision by the Circuit Court.

Mr. Clark denies that he gave cause to be excluded from normal public access to the Clerk's Office. Without waiving that position, even if there had been grounds to exclude him from the Clerk's Office, I submit that there are not grounds for an indefinite exclusion. In the alternative to the position on Mr. Clark's behalf (a) that there were not grounds to exclude him from the Clerk's Office, and (b) he was denied due process notice and opportunity to defend, with an opportunity of appeal; and (c) his exclusion from the Clerk's Office has extended for a long enough time that there are grounds for the exclusion to be lifted now.

Although the exclusion of Mr. Clark does not appear to have resulted from any order entered in Cases Nos. CL13-30; CL 15-07; CL 15-98; and CL 15-99, or any of them, as a precaution, I'm sending a copy of this letter to current counsel of record in those cases, including Jackie Fain Clark, in her capacity as a pro se party.. In addition, I'm sending a copy of this letter to the Clerk of the Circuit Court, with my thanks for how kindly I was treated by that office yesterday.

Respectfully,


Henry W. McLaughlin
Attorney-at-Law

Cc: The Honorable Susan C. Gasperini
Clerk, Circuit Court of Patrick County, Virginia
Phillip G Gardner, Esquire
Brittney N. Jenkins, Esquire
Ms. Jackie Fain Clark

Exhibit B

Twenty-first Judicial Circuit
of Virginia

Henry County • Patrick County • City of Martinsville

JUDGES

DAVID V. WILLIAMS
MARTINSVILLE, VIRGINIA 24114

MARTIN F. CLARK, JR.
STUART, VIRGINIA 24171

G. CARTER GREER
MARTINSVILLE, VIRGINIA 24114

JUDGES

KENNETH M. COVINGTON, RETIRED
MARTINSVILLE, VIRGINIA 24114

CHARLES M. STONE, RETIRED
MARTINSVILLE, VIRGINIA 24114

October 21, 2016

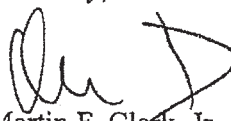
Henry W. McLaughlin
Attorney at Law
707 East Main Street, Suite 1050
Richmond, Virginia 23219

Dear Mr. McLaughlin:

Thank you for your letter of October 15, 2016. I'm not certain that I understand your request: "The purpose of this letter is to ask Your Honor to remove the verbal direction to the office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Sheriff."

The sheriff is legally responsible for decisions regarding the sheriff's office, and I'm not inclined to get involved in determining whom he bars from his office. In fact, I doubt that I have any authority, generally speaking, to so do. I am sorry to be of no more help.

Sincerely,


Martin F. Clark, Jr.

MFC,JR:lr

Exhibit C

THE LAW OFFICE OF HENRY McLAUGHLIN, P.C.

Eighth and Main Building, 707 East Main Street, Suite 1050, Richmond, Virginia 23219
804-205-9020 Toll Free 877-575-0258 Facsimile 877-575-0245

HENRY W. McLAUGHLIN
Attorney at Law
henry@mclaughlinvalaw.com

JESSICA C. STROCK
Attorney at Law
jessica@mclaughlinvalaw.com

October 21, 2016

The Honorable Martin F. Clark
Presiding Judge
P. O. Box 762
101 Blue Ridge Street
Stuart, Virginia 24171-0148

Re: Brian H. Clark

Dear Judge Clark:

My letter to you of October 15, 2016 contained an error on the second page in which I wrote:

The purpose of this letter is to ask Your Honor to remove the verbal direction to the Office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Sheriff.

I meant to say,

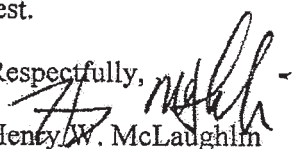
The purpose of this letter is to ask Your Honor to remove the verbal direction to the Office of the Sheriff of Patrick County to exclude Mr. Clark from the Office of the Clerk of the Circuit Court of Patrick County.

I received an email from Phillip G. Gardner, Esquire pointing out my mistake.

I apologize for that error in my October 15, 2016 letter to you. I request that the ban on Mr. Clark from going (unattended by legal counsel) to the Clerk's Office be lifted.

Thank you for your consideration of this request.

Respectfully,


Henry W. McLaughlin
Attorney-at-Law

Cc: Phillip G Gardner, Esquire
M. Mallory Mantiply, Esquire

Exhibit D

Twenty-first Judicial Circuit of Virginia

Henry County • Patrick County • City of Martinsville

JUDGES

DAVID V. WILLIAMS
MARTINSVILLE, VIRGINIA 24114

MARTIN F. CLARK, JR.
STUART, VIRGINIA 24171

G. CARTER GREER
MARTINSVILLE, VIRGINIA 24114

JUDGES

KENNETH M. COVINGTON, RETIRED
MARTINSVILLE, VIRGINIA 24114

CHARLES M. STONE, RETIRED
MARTINSVILLE, VIRGINIA 24114

October 25, 2016

Henry W. McLaughlin
Attorney at Law
707 East Main Street, Suite 1050
Richmond, Virginia 23219

Dear Mr. McLaughlin:

Thank you for your letter of October 21, 2016, and the correction contained therein. Mr. Clark is absolutely prohibited from coming into the clerk's office by himself. This is because he has, over the course of many months, harassed, intimidated, threatened and harangued the staff here, both by e-mail and by phone. In terms of creating a record for you or any appellate court to review, I would incorporate into this letter any and all of the numerous e-mails, letters and filings he has delivered to my assistant and to the clerk, and would include all the filings in Henry County wherein he suggests that various court officials, banks, attorneys, judges and the state bar are in a Lyndon-LaRouche-like plot to do harm to him, one of which such pleadings referenced Judge Greer's bias (later alleged to be outright corruption), referenced Judge Greer's wife and, oddly and menacingly, included a wedding photograph of her. That lengthy background and the background of his bizarre claim in open court that BB&T officials at one point were shooting at or into his home, when combined with a threat to one of the ladies here that he "would put her in her place" is sufficient reason to be cautious where he is concerned. I do not intend to have a hearing on these matters, and if, after reviewing the totality of his filings and e-mails and the entirety of his statements in court and to the staff here, an appellate court wishes to order otherwise, then so be it.

That said, I want to make certain that Mr. Clark has adequate access to the clerk's office so as to effectively prepare for any and all legitimate court claims, actions and proceedings. If at any time, you—or any future counsel—need paperwork, documents, information, files or anything whatsoever, please contact the clerk, and she will make arrangements for you, or your staff, or third parties, or designees just as she did recently. Obviously, you are always welcome here. If, for some reason, you need to bring Mr.

Clark *with you* into the clerk's office, you may. Simply give us a heads-up that he is coming with you, so the clerk can alert building security. However, on my direction and order, he is not allowed to enter the clerk's office or the courthouse in general by himself and without notice, unless of course, he is attending a hearing or scheduled court proceeding. I hope this will prove to be a workable solution for everyone involved.

Sincerely,

A handwritten signature in black ink, appearing to read 'MFC, Jr.', with a stylized flourish at the end.

Martin F. Clark, Jr.

MFC,JR:lr

CC: Phillip Gardner
Sheriff Dan Smith
Hon. Susan Gasperini

Exhibit E

RULE TO SHOW CAUSE
COMMONWEALTH OF VIRGINIA
PATRICK COUNTY CIRCUIT COURT

Case No(s) CR16000423-00

P.O. BOX 148 STUART, VA 24171

ADDRESS OF COURT

RESPONDENT:

BRIAN CLARK

1351 FAIRMONT DRIVE

BASSETT, VA 24055

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	MO.	BORN DAY	YR.	FT.	IN.	WGT.	EYES	HAIR
W	M								
SSN									

AKA:

TO ANY AUTHORIZED OFFICER: You are commanded to serve this Rule on the Respondent.
TO THE RESPONDENT:

You are hereby commanded to appear before this Court on

AUGUST 4, 2016 at 9:00 AM to show cause why you should not:

☒ BE FINED OR IMPRISONED FOR

CONTEMPT OF COURT (18.2-456(3) - ON 07/14/2016) *PLEASE SEE ATTACHED E-MAIL DATED 07/14/16*

☐ be imprisoned, fined or otherwise punished for:

☐ failure to appear in this Court on _____
DATE AND TIME

☐ failure to pay fines, costs and/or restitution or an installment thereof:
payment due: \$ _____ on _____

☐ failure to obey an order of ☐ this court ☐ _____
ordering

WARNING TO THE RESPONDENT: You must appear for a hearing/trial at the time and place shown above.

Willful failure to appear is a separate offense.

JULY 25, 2016

DATE

SUSAN C. GASPERINI

, Clerk

by

Shirley M. Haylewood
DEPUTY CLERK

Offense Tracking Number

141CR1600042300

(For Administrative Use Only)
Virginia Crime Code

CON-3281-S9

RETURN OF SERVICE

EXECUTED by delivering a true copy of this
summons to the Accused in person this day.

SERVING OFFICER

BADGE NO., AGENCY AND JURISDICTION

for

SHERIFF

DATE AND TIME

FORM CC-1355 PDF (MASTER) 1/06

Patti Farmer

From: sgasperini@courts.state.va.us
Sent: Friday, July 15, 2016 7:57 AM
To: Patti Farmer
Subject: Fw: Recent letter from courts Denying my amendment.

-----Forwarded by Susan Gasperini/CC/VaJud on 07/15/2016 07:54AM -----

To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, osig@osig.virginia.gov

From: brianclark <brianclark@me.com>

Date: 07/14/2016 04:48PM

Subject: Recent letter from courts Denying my amendment.

Mrs. Gasperini

I would like the law statute that states that my amendment, based on recent discovery, requires me to file motion for leave to amend an already pending suit. These statutes DO not Apply to Common Law that these matters are in violation of.

I requite proof that these statues are in fact laws, so I'm requesting that proof from this courts and you should provide such with your letters and filing. Otherwise I consider mail from this Court without such supporting documents to be meritless, burdensome, and to create delays only.

This currpt Judge G. Carter Greer and this Court are in violation of common law and are further engaging in criminal acts under the color of law and through statutes that are not verified or likely even approved by our legislative due process.

This decision is appealed, as Judge G. Carter Greer is only further stalling procedures and creating undue burdens, while he has removed my legal access to lawyers in VA. This will not stand. He's further allowed Gardner to file such without any such motion for leave to adnend, which yet again only shows his violations on the Judicial Cannons of Law and his aiding BB&T because of his Family's History and financial interest etc.

Judge G. Carter Greer is simply engaged with BB&T in Corporate Espionage and embezzelment cover up of Banking Fraud and Forgery including Federal Loan forgery and fraud by these defendants.

These are criminal acts not civil.

Sincerely

Exhibit F

AFFIDAVIT

Doris C. Walker, having first been duly sworn, states the following under oath:

1. My name is Doris C. Walker. I reside at 337 Walker Farm Lane, Patrick Springs, Virginia 24133. I am an adult.
2. I am a first cousin once removed of Brian C. Clark. His father was my first cousin.
3. After the trial of Brian Clark on a charge of contempt in March 2017 in the Circuit Court of Patrick County, Virginia, I went to the Clerk's Office of the Circuit Court of Patrick County, Virginia ("the clerk's office") and asked for the emails that were introduced into evidence as one of the exhibits at his March 2017 contempt trial.
4. The clerk's office made copies of emails and delivered those copies to me. I paid the clerk's office the amount that office advised I was to pay for those copies.
5. Those copies (of the documents given to me as set forth above by the clerk's office) are attached hereto. They total 315 pages.

I swear this 22nd day of May, 2017 that the foregoing is true and correct.

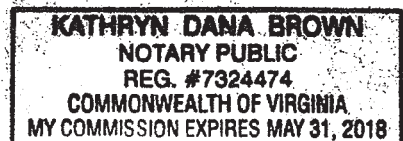
Doris C. Walker
Doris C. Walker

COMMONWEALTH OF VIRGINIA CITY OF RICHMOND

I, KATHRYN DANA BROWN Notary Public for the Commonwealth of Virginia at large, certify that the above (with the copies referenced attached) was subscribed and sworn before me in the above City and State this 22nd day of May, 2017 by Doris C. Walker, who had been properly identified to me.

K
Notary Public

My commission expires on 5/31/18



From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Monday, March 07, 2016 10:46AM
Subject: VA Supreme Court Judge

Mrs. Gasperini

Who's the Judge and what's his BAR number and copy of his surety Bond and oath of office, please?

Just like I identified one VSB purportedly a VSB "Approved arbitrator" which was convicted of embezzlement in 2012, yet was still on the VSB list as a "Well Qualified" arbitrator. I'm sure it takes criminals to represent and come to the aid of other lawyer criminals. That just the good old boy Virginia way, which I'm fully exposing now isn't it.

I'll assure you that i will do that same investigative "due diligence", in evaluating ANY VSB Judge, certianly since 5 already in the 21st District has rescued themselves. It is however very entertaining that your county CA,s, via another VSB lawyer, are attempting these meritless misuses of various motions and Demurs, yet before this same court. Totally embarrassment, if you ask me. That might also explain further, Judge Clarks Dismay!

There's only ONE way this one can end and that's with True Justice and BB&T and these other lawyers involved in ALL these matters to settling up and undoing these local area recused judges illegal court orders etc.

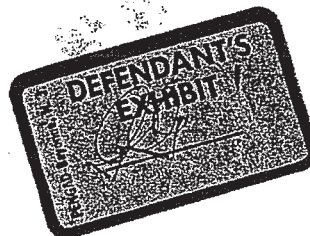
Oh, and by the way. Where is our access to legal counsel? Let me guess the VSB owns them, correct, so your VA judicial system will hold them hostage as well? Please have an ethical and constitutional assigned Judge explain this one before we even get started.. We will start there before this judicial branch of government in Virginia, yet further attempts it rail road legal mumbo jumbo type tactics. Otherwise let's move it to the US Supreme Court after the next President and Adminstration can restore proper order in their judicial house, as well as within the States.

It is very sad, that the 21st Judicial District has orchastrated itself into this pousture, but at the same time it was very obivious that once these Local judges and big wheel VSB lawyers jumped out of this Plane, that they are not able to get back in.

Have a nice week.

Cheers.

Brian Clark
Pro, se
866-515-6719 x 101



very simple solution to ALL these matters, and it all up to them, yet again the direction it takes. The continuous lies, dismays, and attempts to play the games of, I'm not sure what's going on, has long since past years ago. When they attempt these tactics it's not doing them any favors and that's just evident by the number of legal court documents generated in these matters.

Sincerely

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: sgasperini@courts.state.va.us
Date: 02/26/2016 4:39 PM (GMT-05:00)
To: brianclark <brianclark@me.com>
Cc: patmcgrawlaw@cox.net
Subject:

Mr. Clark,

In response to your email regarding the pending suits other than the one recently filed, it is my understanding that Judge Greer will be the presiding Judge. If you want to file a motion for him to recuse himself and request the Supreme Court to appoint another Judge, you will need to send a formal written motion to Judge Greer, P. O. Box 1206, Martinsville, VA 24114.

To date, Mr. McGraw has not sent an order withdrawing as counsel in your older cases currently pending on our docket. In fact, Judge Clark is absolutely dismayed that Mr. McGraw has not presented the order to date.

Susan Gasperini

appoint another Judge, you will need to send a formal written motion to Judge Greer,
P. O. Box 1206, Martinsville, VA 24114.

To date, Mr. McGraw has not sent an order withdrawing as counsel in your older cases
currently pending on our docket. In fact, Judge Clark is absolutely dismayed that
Mr. McGraw has not presented the order to date.

Susan Gasperini

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Friday, February 19, 2016 08:41PM
Subject: Relationships.

History: ↩ This message has been replied to.

Mrs. Gasperini

Are you kin to Judge Martin Clark Jr?
My investigation team has just notified me that you was a Clark?

This seems to all start to shape up and make more and more sense now, as everyone seems to have such close family relationships in this County. Fains, Smiths, Williams, Clarks.

In any regards the pieces are all coming together and the Motives are very clear.

Counsel for the defendants is very clearly engaging in misuse of demur, and "absolute Immunity", simply cannot apply when at CA acts "totally outside" the prosecutorial duties. It's wasn't about an assault at all, as their motives was all about aiding Phillip, Ward, and BB&T. Of course Deputy Haymore and Danny Smith played a BIG role in the initiation of this matter for Stephanie.

I actually at one time highly respected Judge Clark and that's a shame that this has taken on such a pousturing here in this Small Town.

They are making this so much more difficult than it has to be, and swallowing of pride is sometime the most difficult Pill to swallow when caught up in matters as in deep as this one has become.

Have a blessed week.

Sincerely

Brian Clark.

Sent from my Verizon Wireless 4G LTE smartphone

From: brianclark <brianclark@me.com>
To: jjohnson@faplawfirm.com
Cc: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Thursday, February 18, 2016 04:38PM
Subject: RE: No on has absolute immunity.

Mr. Johnson

For the record this case meets all 4 elements, including acts outside their duties, as well as additional motives in aiding Phillip G. Gardner in covering up forgery and fraud for BB&T, and their local area branch executive, with the Defendant Jackie Fain Clark, and her father Charlie M. Fain who has still pending Civil Suits since 2013 on the dockets in the Patrick County Circuit Court for CASH embezzlement of my Sole owned LLC in the counter suit amounts of well over 450,000.00. Stephanie, Phillip, Ward, and others are ALL tangled up extremely deep in this one.

These Local Area Attorney's are engaged in ALL these matters, including Ward Armstrong, whom was aiding Stephanie Brinegar and the other defendants in the first JD court case. This is a classic play of lawyers playing both side, getting engaged to conduct RICO and extortion, embezzlement and run up litigation bills to further extort CASH.

You need to fully realize, just what a big mess you and this firm is stepping into, and just how far these individuals have gone in order to keep this matter localized.

The gross use of a 13 year old young man, as a pawn, by keeping him away from my Custody awarded order visitation held from me a gun point by Charlie M. Fain, the father of Jackie Fain Clark is also very well documented, as bring use to gain advantage in these civil suit matters with BB&T. It's also very well document the close relationships with the Fain's and the Smiths. IE the Sherriff Danny Smith of Patrick County Virginia. I would do some more homework and research surround ALL the fact you WILL face with these defendants in Court.

I don't care if it goes to the Virginia Supreme Court and all the way to the US Supreme Courts. The FACTS, Court Records, and investigative evidence WILL show ALL.

Have a nice day.

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: brianclark <brianclark@me.com>
Date: 02/18/2016 3:46 PM (GMT-05:00)
To: jjohnson@faplawfirm.com
Subject: No on has absolute immunity.

Mr. Johnson

This is twisted circular logic to even imply such as the law is very clear.

It ONLY applies:

"When he acts within the scopes of his, or her prosecutorial duties."

The evidence will show that she and Marcus Brinks both "acted outside" their duties, and thus according to the very law you quoted is not able to enjoy "absolute immunity".

They was bring protected by Judge Martin Clark Jr. on this initially, but as you already are aware that he has recused himself and has recently suffered a massive stroke, as has become very public knowledge in the small town of Stuart Virginia.

Nice play had they stayed within their duties, which is clearly not this case here. The law is pretty clear that there are certian situations in which they cannot claim "absolute immunity" This law is plain commonsense English. To interrupt the part of the law that gives them an "apparent" "absolute immunity" in ALL situations, is absurd logic. I think we can both can agree that is totally debunked, as it relates to the law as it is written.

Still awaiting your call and determination on if you feel this is a conflict of interest for you or not. Please advise.

Sincerely

Brian Clark.

Sent from my Verizon Wireless 4G LTE smartphone

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, Jackie Clark
<jclark@davenportenergy.com>
Cc: jjohnson@faplawfirm.com

Date: Thursday, February 18, 2016 11:44AM
Subject: Letter from Frith Anderson & Peake

Dear Mrs. Gasperini

Reference letter dated February 11, 2016 from John C. Johnson from Frith Anderson & Peake.

I have requested from your office to receive the individual Recusal Letter's of all 5 of the 21st Circuit Judges, copies of their Oaths of Office, their Virginia State Bar Licence numbers, and a copy of their individual surety Bond from your office.

Based on the statements of this letter, we are "apparently" also awaiting for the Supreme Court of Virginia to be notified and a Judge from outside the Circuit to be selected and designated. As of Today February 18th 2016 the Supreme Court of Virginia has not received this request from your Office. I can assume that this possible just hasn't arrived at the Supreme Court of Virginia, but is forthcoming. Please advise all parties of this status of your letter to the Virginia Supreme Court making this request at your earliest convenience.

Once the Supreme Court of Virginia has recieved and further assigned or made know their selection of the Judge from outside the 21st Circuit, I am further assuming that all parties and their respective Counsel will be notified by your office promptly and given ample time to review and investigate this Judges associations and potential conflicts of interest reserved.

Hope you have a great week and enjoy the warmer weather. Spring is just around the corner.

cc:
Jackie Fain Clark, Pro, se
John C. Johnson (Attorney for other defendants named currently.)

Sincerely

Brian Clark
866-515-6719 x 101

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Monday, June 13, 2016 10:38AM
Subject: I will be exercising my 7th amendment rights to Jury Trail.

History: ✦ This message has been replied to.

Susan

The Seventh Amendment continues a practice from English common law of distinguishing civil claims which must be tried before a jury (absent waiver by the parties) from claims and issues that may be heard by a judge alone. It only governs federal civil courts and has no application to civil courts set up by the states when those courts are hearing only disputes of state law.

Since this Court is not hearing a dispute of State Law, all matters before this Court should adhere to a Jury Trail request, according to the Seventh Amendment of the Constitution.

Neither Party has waived any such rights, nor would I, given the level of evidence obtained in these matters, so with that stated and made know to the Courts.

I am, herby awaiting Jury Trail selection that will hear and make a ruling on Recusal of Judge G. Carter Greer, and other Case matters before this Court.

Sincerely

Brian H. Clark

Sent from my Verizon 4G LTE smartphone

From: Brian Clark <brianclark@me.com>
To: district20@senate.virginia.gov
Cc: sgasperini@courts.state.va.us

Date: Tuesday, April 19, 2016 05:39PM
Subject: 21st district Judicial Courts

History: ➔ This message has been forwarded.

Mr. Stanley

I am writing to you at the request of the Virginia Judicial Review Committee and the General assemble to report Patrick and Henry County 21st District Judicial Court corruption.

This email will serve as your notification by advise of the Virginia Judicial Review Commission, the Attorney General's Office and the General Assembly.

Again this is fully open and disclosed information which will be made available to your office for judicial review that is afforded to you directly, If you so chose to review it. It you elect not to review it, then that is your decision, as it has been offered and thus refused.

I can be reached at the following phone number 704-467-9524.

Please confirm receipt of this email. Upon receipt and at a discussed date and time I will bring the trailer load of documents and evidence for your review and coping.

Sincerely

Brian Clark

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Saturday, February 27, 2016 09:55AM
Subject: RE:

History: ➔ This message has been forwarded.

Mrs Gasperini

Judge Greer has been already identified and according to your previous email wisely recused himself from this case and rightfully has by that "admitted already" of his inability to address any of the other pending cases. Please confirm. There's simply no need to further point that "Apparent" ability out to him further by a letter.

You stated that the Virginia Supreme Court has already been sent a letter by you. Judge Clark is not dismayed at all, It's this courts intent to push ALL access to legal counsel that has a BAR # from representing either party.

It will be further very interesting to see just exactly how far the State of Virginia Supreme Court will allow the BAR lawyers to continue aiding and abetting these very serious matters surround ALL this court testified BB&T fraud and Forgery cover up, to include these meritless atracks by the Video Magistrate, Sherriff's Office and these defendants.

Judge Clark is in no way dismayed, it's by delay designed under his court that these cases have gone dragged out and that this court has simply frustrated my legal counsel by its gross actions in this court without legal merits one. Once a ethical lawyer realized this clear abuse of this court and by the judges like Bushnell, Martin, William. Greer, and deathridge, it's very obivious as to why he refuses to sign orders of this 21st distri t Court. I can't say as I blame him as evident by the number of Judges already that have recused themselves.

Seriously

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: sgasperini@courts.state.va.us
Date: 02/26/2016 4:39 PM (GMT-05:00)
To: brianclark <brianclark@me.com>
Cc: patmcgrawlaw@cox.net
Subject:

Mr. Clark,

In response to your email regarding the pending suits other than the one recently filed, it is my understanding that Judge Greer will be the presiding Judge. If you want to file a motion for him to recuse himself and request the Supreme Court to

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Sunday, February 28, 2016 09:15AM
Subject: RE:

History: → This message has been forwarded.

Mrs. Gasperini

Did you know that one of those cases was already before Judge Greer, whom already moved it to Judge Clark?

Is Judge Clark dismayed about that, and now he want to preside over it, when he refused to put it on docket in his Martinsville City Circuit Court and has discussed this in his court with Phillip, McGraw, and myself?

What's the 21st District Courts doing playing musical Judges and Courts? Do you think he's not wanting this in his courts and moved it to Patrick County under Judge Clark? Why was that? Oh, I'm sure he's not biased on these matters but is admittedly biased on others involving these same individuals.

I'm sure your Judges is going to try to make believe they have NEVER discussed these matters with each other or Phillip G. Gardner and "the Others"..That's however not what the Court Recorded Testimonies and Judge Clarks own comments during that Jan 26th 2015 case will Show.

What appauls me the most is how others are engaging in these matters in attempts to grasp at further Straws, as if they are going to continuing dragging me before 21st District Courts and use local area law enforcement to harrass and further attempt to intemidate myself and other family members.

Judge Clark, should have not aided and abetted with Stepfanie Brinegar Vipperman, Phillip Gardner, Ward, and the others in these matters and then used Judge Williams to finish up his matters because it was drawing way to much attention to himself. He wanted all this in his courts to aid Phillip G. Gardner and BB&T, and that's what he wanted. Plain and simple.

I'm not shy about calling this matter out. I've been doing that now for 3 plus years and Im going to fully expose these acts as I've already laid out in my suit. It's down right criminal, however we all know that the LAW is held hostage by the local area CA's that are involved. Im sure they ALL have associations to the BAR and share the same collective objectives, otherwise there would have been arrest made for Fraud, Forgery, and CASH embezzelment..Period. Seems that doing the right thing however isn't as profitable as the direct they took with aiding BB&T. We all know it's ALL about positioning to capitalize on further extortion with ALL those involved in this matter. That's no secret and it's very very very easy to track that. I further know that you run every one of these emails back to Judge Clark, which I really care less if you do. There is nothing in them that I've not already made known to him. I gave him numerous opportunities. He chose his path and that was by his own free will no one else's.

I'll be glad to talk with him anytime and I'll tell him exactly what I've said numerous times before in his chambers, and in the conference rooms. He can either address these matters, or these other Judges, lawyers and CA can take the hard road that they are currently on. There's a very

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Saturday, February 27, 2016 09:58AM
Subject: RE:

History: ➔ This message has been forwarded.

Tell Martin, nice try.

You guys know exactly what the Virginia Supreme Courts are going to say once they see these other cases. Those involved, their connection as "the others" in this case etc.

Do not ever try to play me for some Fool.

Seriously

Brian Clark

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: sgasperini@courts.state.va.us
Date: 02/26/2016 4:39 PM (GMT-05:00)
To: brianclark <brianclark@me.com>
Cc: patmcgrawl@cox.net
Subject:

Mr. Clark,

In response to your email regarding the pending suits other than the one recently filed, it is my understanding that Judge Greer will be the presiding Judge. If you want to file a motion for him to recuse himself and request the Supreme Court to appoint another Judge, you will need to send a formal written motion to Judge Greer, P. O. Box 1206, Martinsville, VA 24114.

To date, Mr. McGraw has not sent an order withdrawing as counsel in your older cases currently pending on our docket. In fact, Judge Clark is absolutely dismayed that Mr. McGraw has not presented the order to date.

Susan Gasperini

From: brianclark <brianclark@me.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>, osig@osig.virginia.gov

Date: Thursday, July 14, 2016 04:48PM
Subject: Recent letter from courts Denying my amendment.

History: ➔ This message has been forwarded.

Mrs. Gasperini

I would like the law statute that states that my amendment, based on recent discovery, requires me to file motion for leave to amend an already pending suit. These statutes DO not Apply to Common Law that these matters are in violation of.

I requite proof that these statues are in fact laws, so I'm requesting that proof from this courts and you should provide such with your letters and filing. Otherwise I consider mail from this Court without such supporting documents to be meritless, burdensome, and to create delays only.

This currupt Judge G. Carter Greer and this Court are in violation of common law and are further engaging in criminal acts under the color of law and through statutes that are not verified or likely even approved by our legislative due process.

This decision is appealed, as Judge G. Carter Greer is only further stalling procedures and creating undue burdens, while he has removed my legal access to lawyers in VA. This will not stand. He's further allowed Gardner to file such without any such motion for leave to adnend, which yet again only shows his violations on the Judicial Cannons of Law and his aiding BB&T because of his Family's Hlstory and financial interest etc.

Judge G. Carter Greer is simply engaged with BB&T in Corporate Espionage and embezzelment cover up of Banking Fraud and Forgery including Federal Loan forgery and fraud by these defendants.

These are criminal acts not civil.

Sincerely

Brian Clark

Sent from my Verizon 4G LTE smartphone

From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>

Date: Tuesday, October 20, 2015 08:19AM

Subject: RE: Custody Visitation Order

History: ➔ This message has been forwarded.

Ms. Royal

Please be advised that I've exposed the VSB and all their ties and connections to BB&T and Gardner. He is done and dragged a ton of people into this mess with him in the process.

I nor my Family will no longer entertain being further harrassed by BB&T, VSB, the Courts of Virginia, in these matters.

My son is fine and both Saturdays has went great..I however will detain anyone sent to NC on posted property again, thats bern sent to spy and intemidate me and my friends and family.

This matter needs to end, because it's very well documented with a lot of people now. I have been very very patient and respectful to this court, however it's time to voice my regress.

I've told my lawyer, Travis Knobbe, numerous people at the VSB, Congress, Charles Poindexter and others in the State..

Im looking to end this matter and Judge Clark has heard all this from the very begining. No one figured I could survive this VSB organization and it control over these lawyers. I however know that a Judge has an oath to uphold the Constitution, and to tear it down or deny someone of their rights without cause is not fairing very well.

It's certainly not making these matters any better, when I've had to watch these matters almost destroy my Son in the process, while BB&T and their VSB connected lawyers are at every aspect of this as well using him and his mother and grandfather etc.

This is not right, so please get these lawyers to get on with facing their medicine, because it's coming.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 10/19/2015 08:39 (GMT-05:00)
To: LRoyall@courts.state.va.us

Cc: Patrick McGraw <patmcgrawlaw@cox.net>
Subject: RE: Custody Visitation Order

Mrs. Royal

I am still not getting any movement with these VSB Attorney in my LLC case. I don't expect it will ever move within the courts due to the uncovered monopoly and connection to BB&T and the VSB, including Mr. Gardner, Holland and WAW attorney Bob Lurger.

Mr. Gardner remain in violation of "knowingly" making false civil suit allegations and is using my Sole member LLC belonging only to myself by both the Articles of Corporation and EIN number of my LLC.

The honorable Judge Clark has heard 90% of this case already and has has my response to this Civil Suit prepared by Holland initially then he was fired after learning of his connection to Mr. Gardner and other VSB board members with invested interest in BB&T, whom is at the very ROOT of every aspect of my legal battles.

This is a Banking Co., and VSB monopoly attempted take over of my LLC, by allowing unauthorized accounts to be established and CASH payouts allowed from them to Charlie Fain.

I am tired of this lack of due process of law and delays in this matter. It's become very apparent and very well documented that the VSB is having heavy influence on both parties lawyers and that there is no way this case can receive a fair trial in the State of Virginia.

If the Courts can not address these lawyers and the Virina State Bar, then I must make my stance know to the courts and the State. I do not feel that this case has any merits whatsoever on behalf of Mr. Gardners claims. Mr. Gardner, himself is in fact a third party to aiding and abetting LLC account embezzlement with BB&T, along with a host of other violations.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: Leigh Royall/CC/VaJud
To: brian <brian@csatnet.com>
Cc: "patmcgrawlaw@cox.net" <patmcgrawlaw@cox.net>, "Phil Gardner" <phil@ggbslawfirm.com>
Bcc: "Cheryl Martin" <cmartin@co.henry.va.us>

Date: Tuesday, November 10, 2015 03:35PM
Subject: Re: Re: RE: Visitation Changes

Dear Mr. Clark: I have reviewed the various e-mails you sent to Ms. Royall. They are inappropriate and should stop. As long as you have counsel of record, all communications to this office must come through him. I have instructed Ms. Royall not respond to any more e-mails or contacts from you. Again, please DO NOT contact her directly again as long as you have a lawyer. Thank you--Martin Clark

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us
 From: brian <brian@csatnet.com>
 Date: 11/10/2015 12:30PM
 Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Beth <bethr77@comcast.net>
 Subject: Re: RE: Visitation Changes

Mrs. ROYAL

Mr. Gardner rode Jackie's train because he was leveraging her Federal Loan Forgeries and Bank note Fraud to carry out his agendas.

He is guilty of aiding and abetting BB&T banking fraud, Forgery, Commonwealth Attorney tampering, Child Abuse, and much more. He deserves to be behind prison bars. Lawyers like his is a disgrace to this state of Virginia and this nation.

I will not tolerate any more of these tactics and the Judge knows exactly what I'm saying is the truth. If he doesnt I've got the proof in many forms. BB&T had engaged GARDNER long before I even uncovered these CASH accounts that BB&T was using to pay Charlie to aid them in their theft of my LLC. I knew exactly what they was doing and all the connected people at BB&T engaged in helping Charlie.

Charlie Fain is not my slave owner, nor did I sell him a percent of my business ever. BB&T attempted to alter and fabricate documents as if they had authority to give him ownership of my LLC. This is not legal in itself, without them backing up that ownership by the Articles of Corporation and the EIN reflecting the same. They knew this and tried to marry 05 documents to 07 loan arrangement that BB&T was doing with Charlie only in my Business name.

Let's get right down to what this is really about and why Gardner and BB&T have used my 13 year old Son as a pawn and hostage with a great deal of assistance and support from the Patrick County CA's Office and Jackie. I give God the credit for bring the truth to light in court recorded transcripts, which I have. This is gotten way out of hand and ALL these lawyers involved are deep pockets into both BB&T and myself. Ward Armstrong 14k, Holland 10K, Bob Lunger 10k, Tommy Joe Williams 15K plus, Patrick McGraw over 40K and wants more.

I'm sick of this stall tactics when Holland filed a response showing my Sole ownership Articles of Carolina Satellite Networks, LLC. This matter is nothing but a lawyer banker scam and plan to run me out of money to fight this bunch of crap.

Now these lawyers are harrassing me and my family via the Sherriff office in Henry County. I've already informed Lane Perry that if he wanted to continue doing the dirty work of theives and criminals, that his choice. I have a serious issue when CA instruct Sherriff who is untouchable and not. No one is above the Law when engaged in criminal activities including a judge. I therefore make no bones about this and I'll tell Judge Clark this as well directly. I already know good and we'll that he has extended the olive branch to Mr. Gardner numerous time, more than any Judge should have and Mr. Gardner has chosen his fate and he is in fact now a third party in this matter and should seek legal counsel himself. He is going to be disbarred, end up in prison and fined heavily for these tactics. It's the only way to deter VA lawyers from engaging with big money banker and lawyers in a monopoly style mafai arrangement. BB&T will also get hits very hard as well for their direct engagement in this matter and that's the only justice that will prevent them from continuing to do this to other. Then the VSB needs to have a clearing house and fix their private corporation and stop engaging in lies under a mission statement that is totally opposite what they really are about.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us
Date: 11/10/2015 11:14 (GMT-05:00)
To: brian <brian@csatnet.com>
Subject: Re: RE: Visitation Changes

Good morning!

I am in the processing of setting a hearing with the attorneys.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter
Patrick County Circuit Court
P.O. Box 762
Stuart, VA 24171
276-694-3775
lroyall@courts.state.va.us
Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

| To: LRoyall@courts.state.va.us

From: brian <brian@csatnet.com>
Date: 11/09/2015 03:13PM
Cc: Patrick McGraw <patmcgrawlaw@cox.net>
Subject: RE: Visitation Changes

Jackie is dictating who stay at my house..
Not Reverend Rick Randell.

I'm simply stating, that this Kenneth person is placed in my house under the directives of herself. She tells Judge Clark one thing then does another..I can work around Rick Randell schedule anytime.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 11/09/2015 13:54 (GMT-05:00)
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>
Subject: RE: Visitation Changes

Mrs. Royal

I still have not heard from the courts on my requested date of this coming Friday @7pm till Saturday at 6pm time.

I have requested this well in advance, yet have not heard anything from either legal counsel from my side or Jackie's.

There has never been ANY legal merits to deny my visitation under a supervisory visit dictated by Jackie, who stays at my house however I have been very willing to do anything possible to spend time with my Son. His biggest issues is not with me at all, it's with the process and these lawyers lack of responsiveness etc. My Son feels like I've abandoned him and left him, which is not the case at all. It seems this way to him because of the total control that been allowed for the past 2 years stemming from JD Courts and false accusations of a horiffic Assault and Battery charge that was clearly proven to be a bunch of fabricated lies and untruths before a Jury of 7.

I was found Not Guilty and yet, I feel as if im still being punished as if I was Guilty. THIS Has taken enough from me. I love my Son, and he has been through enough as well.

I've been very patient with allowing this judicial due process to sort out all the real reasons behind this, yet to no avail now everyone's wants to run and disperse themselves from it after they have milked it as far as they can go without actually doing something further to attempt to attack my character through my underage son.

The only thing I'm guilty of is standing my ground and not backing down.

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us

Date: Tuesday, November 10, 2015 11:48AM
Subject: Re: RE: Visitation Changes

Mrs. Royal

This whole mess is years of Attorney delays and redirects, both in malicious domestic prosecution attempts to gain advantage in these Civil Suits etc.

I'd seriously like to see these two Attorney required to finish all matters, so that BB&T and the theft of my LLC is able to be released from these litigation and the theft of all CASH returned.

BB&T and Mr. Gardner are all in the middle of every bit of this matter and it very apparent why.

My Son and I are just fine, when the courts are not involved. He has hugged me several times and we have enjoyed our weekend together. Of course we can do much more father Son activities when this unjust supervised visitation stuff is finally removed.

None of which I expect to happen as my Son is being used to attempt to control me and keep me in all these other issues. I'm really tied of that.

These lawyers are criminals and that's just what they do.

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us
Date: 11/10/2015 11:14 (GMT-05:00)
To: brian <brian@csatnet.com>
Subject: Re: RE: Visitation Changes

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Leigh R. Royall, Judicial Assistant & Court Reporter
Patrick County Circuit Court
P.O. Box 762
Stuart, VA 24171
276-694-3775
lroyall@courts.state.va.us
Fax: 276-694-2070

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To: LRoyall@courts.state.va.us
From: brian <brian@csatnet.com>
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Cc: Patrick McGraw <patmcgrawlaw@cox.net>
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Brian Clark

Carolina Sat Net Solutions
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Date: 11/09/2015 13:54 (GMT-05:00)
To: LRoyall@courts.state.va.us
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they have milked it as far as they can go without actually doing something further to attempt to attack my character through my underage son.

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Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>

Date: Tuesday, November 10, 2015 12:00PM
Subject: Re: RE: Visitation Changes

Mrs Royal

The suit against BB&T needs to be admended for a 500 billion dollars lawsuit, also naming Mr. Gardner as a third party.

This Bank is a Criminal Organization and the entire Virginia State Bar, also needs to be named in this in order to clean their deep ties to BB&T, so this type of hostile take over of Companies are not attempted in the future.

Once Mr. Gardner, and BB&T are removed from this matter then they should leave my Son and family along.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us
Date: 11/10/2015 11:14 (GMT-05:00)
To: brian <brian@csatnet.com>
Subject: Re: RE: Visitation Changes

Good morning!

I am in the processing of setting a hearing with the attorneys.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter
Patrick County Circuit Court
P.O. Box 762
Stuart, VA 24171
276-694-3775
lroyall@courts.state.va.us
Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us
From: brian <brian@csatnet.com>

Date: 11/09/2015 03:13PM
Cc: Patrick McGraw <patmcgrawlaw@cox.net>
Subject: RE: Visitation Changes

Jackie is dictating who stay at my house..
Not Reverend Rick Randell.

I'm simply stating, that this Kenneth person is placed in my house under the directives of herself. She tells Judge Clark one thing then does another..I can work around Rick Randell schedule anytime.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 11/09/2015 13:54 (GMT-05:00)
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>
Subject: RE: Visitation Changes

Mrs. Royal

I still have not heard from the courts on my requested date of this coming Friday @7pm till Saturday at 6pm time.

I have requested this well in advance, yet have not heard anything from either legal counsel from my side or Jackie's.

There has never been ANY legal merits to deny my visitation under a supervisory visit dictated by Jackie, who stays at my house however I have been very willing to do anything possible to spend time with my Son. His biggest issues is not with me at all, it's with the process and these lawyers lack of responsiveness etc. My Son feels like I've abandoned him and left him, which is not the case at all. It seems this way to him because of the total control that been allowed for the past 2 years stemming from JD Courts and false accusations of a horiffic Assault and Battery charge that was clearly proven to be a bunch of fabricated lies and untruths before a Jury of 7.

I was found Not Guilty and yet, I feel as if im still being punished as if I was Guilty. THIS Has taken enough from me. I love my Son, and he has been through enough as well.

I've been very patient with allowing this judicial due process to sort out all the real reasons behind this, yet to no avail now everyone's wants to run and disperse themselves from it after they have milked it as far as they can go without actually doing something further to attempt to attack my character through my underage son.

The only thing I'm guilty of is standing my ground and not backing down.

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>

Date: Monday, November 09, 2015 03:13PM
Subject: RE: Visitation Changes

History: ↩ This message has been replied to.

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Brian Clark

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866-515-6719 x 101

From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>

Date: Tuesday, November 03, 2015 10:32PM
Subject: RE: Visitation Changes

Ms. Royal

I have forwarded to Patrick McGraw above.
 He seems very withdrawn due to the VSB level of involvement and corruption in these matters.

I'm very concerned that these seems c9nnected lawyers and VSB parties might even be blackmailing or harrassing him and his family, like they have been doing with mine in this ordeal.

Even the Sherriff have been told by Commonwealth Attornies that they can't do anything on these forgeries, fraud, and embezzelment of my LLC by these criminals. This has really gotten way out of hand and has been in front of this court now for years without being heard on docket. That really concerns me as well that Judge Martin Clark had extended enormous leanency towards Mr. Gardner and has empowered his ability to continue to misrepresent my LLC as if he was it legal counsel. He has done so knowingly.

This all has to do , with them using this situation and my 15 year old son to attempt to coverup fraud, forgery, and theft of my LLC. Although this I would hope was hidden from Judge Clark, however he should be very aware of what really behind these matters by now.

I will not tolerate a CA instructing an elected official like the Sherriff in who he can and cannot arrest for a criminal action, whether that be a lawyer, judge, or CA, that's aiding and abetting this in order to protect BB&T. I'm sick of them harrassing me with various frivillous claims and notices in the mail designed to simple put undue stress on my my mom and Dad who has medical problems.

This matter has gone on long enough.

My lawyer don't respond to my calls or emails because of all these numerous redirects, delays, and malicious prosecution attempts on myself that has failed miserable. It was rather very embarrassing that the Patrick County CA in the real Bad loss in the A&B circuit court appeal case. I want my Son removed from this, and I appreciate what Judge Clark has tried to do in order to get my Son in a state of mind where there is less influence over him.

These lawyers and Bankers simply need to completely remove themselves from engaging in continuing to aid thus type of mental child abuse before they find themselves in prison for a very long time.

If I was a lawyer, there would be serveral people behind bars right now in this matters and that list has grown over the years this has been delayed. Mr. Gardner is a well know criminal, and he is a third party to these matters and he his simply trying to run from what he's been exposed for doing that by any standards is an ethical violation worthy of disbarment at the very least.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us
Date: 11/02/2015 09:38 (GMT-07:00)
To: Brian Clark <brian@csatnet.com>
Subject: Visitation Changes

Good morning!

Please have your lawyer contact opposing counsel regarding the visitation change to see if both sides agree. If not, please have your attorney contact me so that we can schedule a conference call with the judge.

Thanks!

Leigh R. Royall, Judicial Assistant & Court Reporter
Patrick County Circuit Court
P.O. Box 762
Stuart, VA 24171
276-694-3775
lroyall@courts.state.va.us
Fax: 276-694-2070

From: brian <brian@csatnet.com>
To: "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>

Date: Monday, November 16, 2015 04:57PM

Subject: Re: Re: Re: RE: Visitation Changes

ALSO For the record.

Congress has no authority over the fact the VSB is claiming to be State Agency, and they are certainly not federal. Even if it was Federal, his staff would block it and remove the Congressman from addressing them. Now you might see whats also got this country so screwed up.

Congressman Griffith is simply to worried about his money and other things. He want address a feredal loan fraud site that I personally had shut down, that's still to this day a Conduit for identity theft a fraud. www.pin.ed.gov. I shut it down ONLY for it to be put right back up with same issues under the FSA-ID process.

Charles Poindexter is not going to do anything either, because it's a private corporation. Lol.

As for the last suggestion. That's like the fox guarding the hen house, now isn't it. You certainly are not this blinded I hope. It might be call out of touch with reality because you live life in a law book and by review of statutes and code. Nothing wrong with that, however you should look into my merits.

Brian Clark

Carolina Sat Net Solutions
 866-515-6719 x 101

----- Original message -----

From: LRoyall@courts.state.va.us
Date: 11/13/2015 14:07 (GMT-05:00)
To: brian <brian@csatnet.com>
Cc: patmcgrawlaw@cox.net, Phil Gardner <phil@ggbslawfirm.com>
Subject: Re: Re: Re: RE: Visitation Changes

Mr. Clark: I regret that my e-mail was probably not clear. As a matter of law, neither I nor Ms. Royall can respond to your ex parte communications to this court. If you have a lawyer, all communications must come through him or her. If you are representing yourself, we still are not allowed to read or respond to letters or e-mails sent ex parte that contain argument or factual information about your cases. Accordingly, your future improper e-mails and letters will simply be archived and ignored. We are not allowed to respond to improper ex parte communications or even read them. Also, we will not be able to accept any phone calls from you. If there is corruption in our system, I certainly hope it will be exposed and corrected, and I feel confident that Delegate Poindexter, Congressman Griffith and Attorney General Lynch--all of whom are able and honest public servants--will for sure get to the bottom of things. I am sorry to be of no more help. Martin Clark

Leigh R. Royall, Judicial Assistant & Court Reporter
 Patrick County Circuit Court
 P.O. Box 762
 Stuart, VA 24171
 276-694-3775
 lroyall@courts.state.va.us
 Fax: 276-694-2070

-----brian <brian@csatnet.com> wrote: -----

To: LRoyall@courts.state.va.us
 From: brian <brian@csatnet.com>
 Date: 11/10/2015 06:43PM
 Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>
 Subject: Re: Re: RE: Visitation Changes

Judge Martin Clark

There isn't a VSB judge capable of hearing any case matter in Virginia that is not part on this uncovering of the Virginia State BAR and Federal Agency curruption and their connections and ties to BB&T and VSB lawyers. This is what this is about and your court has been playing this using my Son as leverage. He will be an adult on day, and 18 soon. This court has already taken him illegal away from me for 3 years and possdible longer if I continue to entertain your courts lawlessness operations in the State of Virginia.

This court has no further juristrition based on the illegal action of the VSB, until a full hearing and investigation is indicted by the US Attorney General Office. I've made this request. This is a deeply rooted curruption at the highest levels of law in the State. I've uncovered it and exposed it and will continue to do so until it is ethically restored to proper control. Not some private corporation masked as a State Agency, that has zero check and balance that has not been clearly shown to be corrupt...Period.

I've advised Congressman Griffith and Charles Poindexter of this curruption and he concurs that it is very concerning. It is therefore that I request my originial custody arrangement before all this meritless matters be fully retroactive and restored. Of Course Congressman Griffith is a lawyer too and his wife now a judge. I'm sure they needed to conform just so the lawyers families are all now adopted into the monopoly family called the VSB.

I further have request from my Lawyer that Judge Clark, Judge Williams, and Judge Greer all sign recusal of themselves, in this matter because of All "their direct dealings" with Carolina Satellite Networks, LLC and Mr Gardner already. This is a rail road job and the train has derailed...

Fully exposed. VIRGINIA STATE BAR CURRUPTION RUNS DEEP THROUGHOUT THE ENTIRE STATE. Most currupted State in the US. I'd rank it as number 1.

My lawyer Patrick McGraw will handle this Custody matter but I will not be in the courts in Patrick, Henry, or Martinsville, due to the legal corrupt in these counties and cities and repeated Harrasment of those envolved.

I just got off the phone with Patrick, and I expect to see my Son at 7pm this Friday till 6pm this Saturday. This junk is going to end, you honor, and you can write it in your next book..

My original custody arrangement that Mrs. KELLY got me should therefore be fully restored. Any violation of the Custody order by influencing Jackie to continue to provoke my Son and use him as your pawn will not be tolerated, your Honor. My visits with him have been perfect. He knows his Dad loves him and just is angry at the courts. He knows what's going on here, he's my Son.

You guys can't change DNA.

Have a nice day, your Honor.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 11/10/2015 17:10 (GMT-05:00)
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>
Subject: Re: Re: RE: Visitation Changes

Martin Clark

They are facts, relevant to this Custody Case and the mental child abuse of my Son by those involved.

My freedom of speech shall not be infringed upon by this court or yourself.

If you don't like what is being exposed at the Virginia State Bar level, then this should be addressed with them the BAR attorneys involved and the Attorney General of the United States.

Bottom line here, I'm tired of these lawyers, Bankers, and Courts in Virginia using my 15 year old Son by empowering his mother to use him as they are doing under the direction of lawyers and BB&T. You should be able to address them but apparently they also have dominion over yourself via the BAR..

It's not going to work, it hasn't for some time now. My Lawyer is a BAR attorney and apparently he needs his JOB so he can provide a living for his family.

I'm awaiting for a non- based constitutional judge in Virginia to be appointed over this matter. If there is one, you certainly are and have been apparently playing both sides and I don't like it.

You are removing yourself as you stated of this Custody matter, as should you do the same in this Business matter as well.

I don't trust you, your Honor. That's just my opinion based on the documented evidences that's before me. You have been allowing Mr. Gardner and others to continue using my Son.

I'm sure you don't like what I'm saying, because you need to control what's being put out about this situation, which is exactly why you are allowing this to continue.

I have copied my legal counsel in this matter and he's not advised me to shut up via any of these emails to the courts. However if you prefer them directly to your email, then I'd like to have it, so I can't further respect your wishes and remove Mrs. Royal from being the buffer.

Please send me your email.

Patrick McGraw can advise me further if he would answer his emails or phone calls, this wouldn't be happening in this order to start with. I also believe that's an ethical violation by your VSB standards as well.

Get you legal counsel's operating in VA in check and more importantly those operating under your court.

Have a nice day.

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Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>
Cc: Charles Poindexter <jbp@jetbroadband.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

Date: Wednesday, November 11, 2015 11:59AM
Subject: Fwd: Thank you for your service

These are the people that know me and take time to send me touching emails like this one.

Perhaps this might enlighten you and Judge Martin Clark, Jr. as to the charter and passion that drives me to address these problems in Virginia and this United State of America.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: Linda Kunzweiler <lmk@knowledgeequitypartners.com>
Date: 11/11/2015 10:32 (GMT-05:00)
To: 'brian' <brian@csatnet.com>
Subject: Thank you for your service

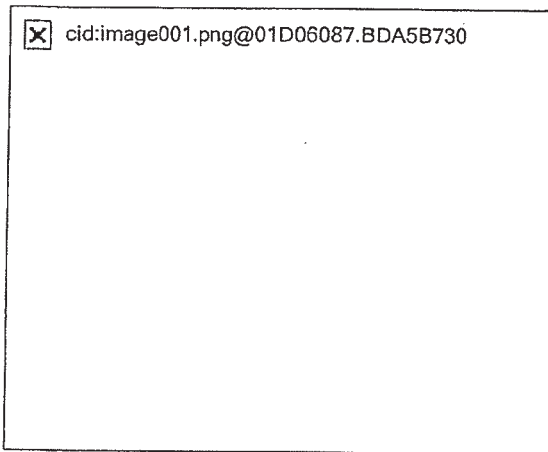
Brian

This morning I am going through my list of veterans I am honored to know. I am writing to thank you for your service to our country.

A simple message of thanks does not reflect your hard work in the military but it is certainly meant as one of appreciation. We cannot be free without courageous people like you.

Sincerely,

Linda



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Linda M. Kunzweiler President | CEO

CRITICAL INFRASTRUCTURE PROTECTION
SOFTWARE AND SERVICES

44 Cook Street Suite 100

Denver, CO 80206

(303) 398-7008 p

(303) 398-7001 f

www.knowledgeequitypartners.com

From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>

Date: Tuesday, November 10, 2015 06:43PM

Subject: Re: Re: RE: Visitation Changes

History: ✦ This message has been replied to.

Judge Martin Clark

There isn't a VSB judge capable of hearing any case matter in Virginia that is not part on this uncovering of the Virginia State BAR and Federal Agency curruption and their connections and ties to BB&T and VSB lawyers. This is what this is about and your court has been playing this using my Son as leverage. He will be an adult on day, and 18 soon. This court has already taken him illegal away from me for 3 years and possidble longer if I continue to entertain your courts lawlessness operations in the State of Virginia.

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Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>
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From: brian <brian@csatnet.com>
To: LRoyall@courts.state.va.us
Cc: "patmcgrawlaw@cox.net" <patmcgrawlaw@cox.net>

Date: Thursday, November 26, 2015 10:53AM
Subject: Re: Re: Re: RE: Visitation Changes

Patrick

You need to inform this Court and Judge Williams as well of the violation of Judge Clark temporary order and the Jackie insertion of her Boyfriend Kenneth Trent, against Reverend Rick Randall as ordered by this Court.

My Son is being Psychologically Child abused by Jackie. This entire documented case file, clearly shows the lengths she will go to in order to continue the abuse of Bailey Anderson Clark.

Judge Clark has tried to get counseling, however that effort was unproductive due to the abuse. This Kid, unfortunately needs to be removed from the abusers environment, which is why I requested in court Full Custody of Bailey. If Judge Williams gets what he needs to review this matter, he should fully understand that Bailey, under an abuse mind state, can not say anything other than what his abuser is instructing him to say before this court.

I have also requested a Doctor who specializes in this area to examine Bailey Anderson Clark. I originally was under the impression that Darwin Honeycutt was a Doctor. He later set me straight that he was not after we had several visits. Bailey has never been examined by a Dr. and I've requested it from you numerous times. I will do so yet, again as his father and in the best interest of Bailey that he get to a Doctor for this matter. It will only help him recover from this psychological abusive situation.

I intend to get him this medical professional help if awarded full custody as requested, and hopefully his mother can get help as well for whatever is going on with her medical conditions. I honestly think something with her is related to her medical condition that she testified to in court. I at least think it's worthy of the effort for her to seek treatment herself before she can be a positive and encouraging parent to Bailey till he turns the age of 18.

I understand the laws in VA, view a Child as capable of determining who they wish to live with at a certain age, however that child must be medically cleared by a professional Doctor as not in a psychologically abusive mind state first. This is not the courts area of expertise to diagnose psychological abuse of a minor. This put this court in a very awkward position for a ruling without this..

I however have Bailey's best interest at heart, and I am in no way seeking anything other than that. I've agreed with Judge Clark that convicting Jackie of Show Cause violations and jail is not in Bailey's best interest, considering his current medical condition and mindset.

I look forward to Judge Williams ruling, for my Full Custody request, so I can get Bailey away from this environment and into medical treatment, as might be required for the adjustment. He is torn between both parents and I do not want to remove all access to his mother, but do need to make sure that she gets help as well before she can be able to be a positive influence in his life, instead of this hatred and negative mindset. Darwin testified to the severity of this, Although he's not medically qualified to properly treat this severity of this psychological abuse.

No kid can overcome this condition by remaining attached to the abusers hip. It's time this court fully addresses the severity of this matter and that my Son's best interest is given the opportunity to receive medical treatment for this condition, selected by me.

We have tried everything else, except this. I will never give up on my Son, because I see that he loves me and cares about me greatly. He's just forced to act differently before the judge, while in the presence of his mother etc.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

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Date: 11/13/2015 14:07 (GMT-05:00)
To: brian <brian@csatnet.com>
Cc: patmcgrawlaw@cox.net, Phil Gardner <phil@ggbslawfirm.com>
Subject: Re: Re: Re: RE: Visitation Changes

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Leigh R. Royall, Judicial Assistant & Court Reporter
Patrick County Circuit Court
P.O. Box 762
Stuart, VA 24171
276-694-3775
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From: brian <brian@csatnet.com>
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Janet Poindexter <jbp@jetbroadband.com>
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Have a nice day, your Honor.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 11/10/2015 17:10 (GMT-05:00)
To: LRoyall@courts.state.va.us
Cc: Patrick McGraw <patmcgrawlaw@cox.net>, Dianne Wright <dwright49@comcast.net>, Janet Poindexter <jbp@jetbroadband.com>
Subject: Re: Re: RE: Visitation Changes

Martin Clark

They are facts, relevant to this Custody Case and the mental child abuse of my Son by those involved.

My freedom of speech shall not be infringed upon by this court or yourself.

If you don't like what is being exposed at the Virginia State Bar level, then this should be addressed with them the BAR attorneys involved and the Attorney General of the United States.

Bottom line here, I'm tired of these lawyers, Bankers, and Courts in Virginia using my 15 year old Son by empowering his mother to use him as they are doing under the direction of lawyers and BB&T. You should be able to address them but apparently they also have dominion over yourself via the BAR..

It's not going to work, it hasn't for some time now. My Lawyer is a BAR attorney and apparently he needs his JOB so he can provide a living for his family.

I'm awaiting for a non- based constitutional judge in Virginia to be appointed over this matter. If there is one, you certainly are and have been apparently playing both sides and I don't like it. You are removing yourself as you stated of this Custody matter, as should you do the same in this Business matter as well.

I don't trust you, your Honor. That's just my opinion based on the documented evidences that's before me. You have been allowing Mr. Gardner and others to continue using my Son.

I'm sure you don't like what I'm saying, because you need to control what's being put out about this situation, which is exactly why you are allowing this to continue.

I have copied my legal counsel in this matter and he's not advised me to shut up via any of these emails to the courts. However if you prefer them directly to your email, then I'd like to have it, so I can't further respect your wishes and remove Mrs. Royal from being the buffer.

Please send me your email.

Patrick McGraw can advise me further if he would answer his emails or phone calls, this wouldn't be happening in this order to start with. I also believe that's an ethical violation by your VSB standards as well.

Get you legal counsel's operating in VA in check and more importantly those operating under your court.

Have a nice day.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: Patrick McGraw <patmcgrawlaw@cox.net>
Cc: "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>

Date: Wednesday, January 06, 2016 07:28AM
Subject: Fwd: Suit amendments

Patrick McGraw

See below notice to Courts of Patrick County, VA.

Please be advised that I'm still awaiting the Custody Final order from Judge Williams and yourself and Bourland & McPheeters.

Please expedite this and finalize this case matters at your earliest.

Thank you for your representation in these very difficult matters in Patrick County Virginia. Your efforts in these cases are commendable.

I would highly recommend you to anyone with complex issues that involve Children.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 01/06/2016 6:58 AM (GMT-05:00)
To: LRoyall@courts.state.va.us
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>
Subject: Suit amendments

Mrs. Royal

Let this email serve as notice to the courts that the two pending suits in Patrick County Circuit Courts will be "amended accordingly", due to recent discovery of investigative evidence.

Please forward a copy of both filings and their case numbers to me via email attachment, or by fax to 1-866-515-6719

Patrick McGraw has concluded his representation of Carolina Satellite Networks, LLC and Brian Clark.

Thank you

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: "LRoyall@courts.state.va.us" <LRoyall@courts.state.va.us>
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>, Patrick McGraw <patmcgrawlaw@cox.net>

Date: Wednesday, January 06, 2016 08:07AM
Subject: Amendments to Case notice

Mrs Royal

Please advise Judge Martin Clark Jr, Judge Williams, JD Judge Robert Bushell, and Judge Greer of the following:

I am currently awaiting to hear back from (BB&T) Attorney Travis Knobbe regarding all these matters in Patrick County VA and the collective formed local area (Consortium).

They have till 12:00 none today to respond and we will then determine the next Course of action in these pending two Cases in Patrick County Circuit Court.

While I consider my legal options pending this attempt at mediation with (BB&T) regarding these pending Cases, it's my sincere hopes that a possible resolution might be reachable.

If successful, due consideration will be considered in these efforts to potentially reach a mutually acceptable resolution.

Hope everyone had a Merry Christmas and a Happy New Year.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>

Date: Saturday, March 12, 2016 08:42PM
Subject: RE: Emailing Articles Of Corporation Documents.pdf

History: ➔ This message has been forwarded.

Mrs. Gasperini

Enough of these GAMES from Gardner.

He's Acting as a Legal Counsel for my LLC and ONLY I could have hired him to represent it, per the ONLY legal Corporate LLC Documents produced to DATE. PERIOD.

THE EIN number also reflect the SAME
SOLE Ownership Entity Structure. This what Gardner and BB&T has been running from for way to long under this court system and these individuals involved.

No one can claim a partnership in a "SOLE Member, LLC Entity and EIN Structure".

Judge Greer, needs to address this. You can't pass Go and collect 200 bucks. This is not some monopoly game where you can attempt to SIDE step the FACTS of THE Corporate Documents . Period.

His ENTIRE play has been attempted by FRAUD.

Then when illegally taking over purporting as legal counsel of my SOLE OWNED, LLC, further putting Defense Clients like the US Government at Risk, he thinks that he can force my safe guards and reactions taken, as a DIRECT result of his Corporate Espionage tactics and then also further use that against me.

He best take some more Law courses on LEGAL Corporate Entity Formation and Structuring and learn how a Company is legally Formed. The ARTICLES of Corporation speaks for itself. No other Document can change the Entity's ownership.

Charlie M Fain's not on them. Period.
Jackie Fain Clark is not even on them.

There simply no getting around or side stepping these FACTS.

Sincerely

Brian Clark

866-515-6719 x 101

----- Original message -----
From: brian <brian@csatnet.com>

Date: 03/12/2016 8:20 PM (GMT-05:00)
To: sgasperini@courts.state.va.us
Subject: Emailing Articles Of Corporation Documents.pdf

Articles of Corporation Documents for Judge Greer..

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Sunday, March 13, 2016 12:06PM
Subject:

6:12 For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.
Ephesians

8:1 There is therefore now no condemnation to them which are in Christ Jesus, who walk not after the flesh, but after the Spirit.

8:2 For the law of the Spirit of life in Christ Jesus hath made me free from the law of sin and death.

8:3 For what the law could not do, in that it was weak through the flesh, God sending his own Son in the likeness of sinful flesh, and for sin, condemned sin in the flesh: Romans

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

From: brian <brian@csatnet.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

Date: Monday, March 14, 2016 08:36AM
Subject: RE: Emailing Articles Of Corporation Documents.pdf

History: ➔ This message has been forwarded.

Mrs. Gasperini

Furthermore, his clients was attempting a Take over my SOLE owned LLC and EIN number by cteating and further maintianing an illegal INC Company in my Companies NAME.

This along with the Fraudulent accounts opened up in 2004, fraud, and Forged Bank Documents by his clients already testified too under oath in Court Recorded testimonies!

What's Gardner doing now the Martin Clark Jr. Is out, trying to swat Judge Greer in the BB&T / Gardner / Armstrong / Now Frith Anderson & Peak camps. What's it take, an Army of law firms, BB&T Bank Money to attempt my lies to cover up these matters?

I've done stated numerous times that BB&T by this Fraud Accounts where "ALL cash" was embezzeled from by Charlie M. Fain that they are Fully responsible and reliable for. Period.

This 21st District Judicial Court System, BB&T and these numerous VSB Lawyers need to adhere to the Corporate Documents when the LLC was formed and these fraud, forgery, and Embezzelment began in 2004. When I say I'm done, I'm done playing these in this 21st District Courts Judical Curruption game with these lawyers and Judges. I'm further done with having the Sherriff Danny Smith harrass my family members. He has visited one of my family members houses and has been running around town spreading even more lies and accusations. We all know he and his department is clearly engaged in adding these matters with these defendants.

I'll await to hear from Judge Greer via a conference call with himself, Gardner and Knobbe. We need to address these matters because you have got Law Enforcement personel threatening and trying to intimidate people as well as lawyers doing the same. That needs to end.

Sincerely

Brian Clark
Pro,se
866-515-6719 x 101

----- Original message -----

From: brian <brian@csatnet.com>
Date: 03/12/2016 8:42 PM (GMT-05:00)

To: sgasperini@courts.state.va.us
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>
Subject: RE: Emailing Articles Of Corporation Documents.pdf

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Cc: Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>

Date: Monday, March 14, 2016 08:41AM
Subject: RE: Emailing Articles Of Corporation Documents.pdf

History: ➔ This message has been forwarded.

Correction to typos on my Droid.

They are trying to attempt MORE lies to Cover up BB&T liabilities and sway Judge Greer into their Camps with more of his tactics of lies.

This is not easily covered up and it gotten way out of hand.

Sincerely

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 1

----- Original message -----

From: brian <brian@csatnet.com>
Date: 03/14/2016 8:36 AM (GMT-05:00)
To: sgasperini@courts.state.va.us
Cc: Travis Knobbe <tknobbe@spilmanlaw.com>, Charles Poindexter <jbp@jetbroadband.com>, Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins <Michelle.Jenkins@mail.house.gov>
Subject: RE: Emailing Articles Of Corporation Documents.pdf

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From: brian <brian@csatnet.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>

Date: Monday, March 14, 2016 08:54AM
Subject: RE: Fw: Judge Designate

Nice, try. Try again we All know he is another Phil Gardner symphathizer and has Close knit ties to Woods Rogers and Thomas Spill man and battle.

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

----- Original message -----

From: sgasperini@courts.state.va.us
Date: 03/14/2016 8:25 AM (GMT-05:00)
To: brian <brian@csatnet.com>
Subject: Fw: Judge Designate

-----Forwarded by Susan Gasperini/CC/VaJud on 03/14/2016 08:24AM -----

To: "brianclark" <brianclark@me.com>
From: Susan Gasperini/CC/VaJud
Date: 03/08/2016 01:49PM
Subject: Judge Designate

Mr. Clark,

I have just been notified that Judge David B. Carson, Judge of the 23rd Judicial Circuit, P. O. Box 211, Roanoke, VA 24002-0211 has been appointed judge-designate to hear the case of Brian Clark vs Patrick Co. Commonwealth Attorney's Office, et als (Case #CL16-16).

If you have any motions or pleadings, please mail to this office at P. O. Box 148, Stuart, VA 24171. We will date-stamp each document and forward to Judge Carson.

Susan Gasperini

From: brian <brian@csatnet.com>
To: "sgasperini@courts.state.va.us" <sgasperini@courts.state.va.us>
Cc: Mary Pendleton Stafford <marypstafford@gmail.com>, Michelle Jenkins
<Michelle.Jenkins@mail.house.gov>, Charles Poindexter <jbp@jetbroadband.com>

Date: Monday, March 14, 2016 10:53AM
Subject: RE: Fw: Judge Designate

Mrs. CLARK Gasperini

"Philip G. Gardner, Martinsville ... David B. Carson, Roanoke public citizen, a lawyer should seek improvement of the law, the administration of justice and the .."

Close relationship with Phillip Gardner, seems a major Conflict of interest to me. I'll ask for his Resucal as well, do we need to go through 6 more Judges?

See the above Clipping from my research.
He's Out. So, ill request that you go back to the VA Supreme Court and the VSB and try again.

Sincerely

Brian Clark
Pro,se
866-515-6719 x 101

----- Original message -----

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Date: 03/14/2016 8:54 AM (GMT-05:00)
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Date: Monday, March 14, 2016 11:12AM
Subject: RE: Fw: Judge Designate

Mrs. Clark Gasperini

When this judicial branch brings forth a unbiased judge Canidate from the VA Supreme Court with no ties to "BB&T", Woods Rogers, Thomas Spilman and Battle and or Phillip Gardner, Ward L Armstrong, this has bern well identified and "apparently" is a very Curruped Virginia State Bar Association which purports itself to be a State Agency, then I'll entertain writing a letter to them directly not this curruped 21st District Court in Patrick County Virginia.

Have a blessed week, as I'll be praying that God handles these individuals and ALL these matters because it's "apparently", just right back to more of the same old tactics that's uncovered this fully to begin with. God's words are All the truth, on which I will stand.

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Brian Clark
Pro, se.
866-515-6719 x 101

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Susan Gasperini

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Date: Monday, March 14, 2016 11:12AM

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History: ✦ This message has been replied to.

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Date: Monday, March 14, 2016 11:49AM
Subject: Emailing 2_mandamus_to_sheriff(7).pdf

Brian Clark

Carolina Sat Net Solutions
866-515-6719 x 101

Attachments:

2_mandamus_to_sheriff(7).pdf

